
DIGEST

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Abramson

HB No. 606

Abstract: Provides for the admissibility of evidence of failure to wear a safety belt while operating a motor vehicle and provides for a reduction of damages.

Present law requires that each driver of certain motor vehicles and each occupant, except as otherwise provided by law, shall have a safety belt properly fastened at all times when the vehicle is in forward motion.

Present law prohibits the introduction of evidence of failure to wear a safety belt in any action to recover damages arising out of the ownership, common maintenance, or operation of a motor vehicle.

Proposed law provides that the court shall permit the introduction of evidence of failure to wear a safety belt in violation of present law.

Proposed law provides that if any party establishes by a preponderance of the evidence that the injured person failed to wear a safety belt at the time the injury occurred, any damages awarded to that person shall be reduced by 15% of the damages awarded to that person.

(Amends R.S. 32:295.1(E))