

Regular Session, 2014

HOUSE BILL NO. 118

BY REPRESENTATIVE HARRISON

INSURANCE/AUTOMOBILE: Provides relative to the penalties for failure to maintain compulsory motor vehicle liability security

1 AN ACT

2 To amend and reenact R.S. 32:866(A)(1), relative to compulsory motor vehicle liability
3 security; to provide relative to the prohibition of the recovery of damages in certain
4 circumstances; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 32:866(A)(1) is hereby amended and reenacted to read as follows:

7 §866. Compulsory motor vehicle liability security; failure to comply; limitation of
8 damages

9 A.(1) There ~~shoudt~~ shall be no recovery for the first fifteen thousand dollars
10 of bodily injury and no recovery for the first twenty-five thousand dollars of property
11 damage based on any cause or right of action arising out of a motor vehicle accident,
12 for such injury or damages occasioned by an owner or operator of a motor vehicle
13 involved in such accident who fails to own or maintain compulsory motor vehicle
14 liability security.

15 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Harrison

HB No. 118

Abstract: Specifies that the owner or operator of a motor vehicle who fails to maintain motor vehicle liability insurance shall not recover the first \$15,000 of bodily injury damages or the first \$25,000 of property damages.

Present law provides that there "should" be no recovery for the first \$15,000 of bodily injury and no recovery for the first \$25,000 of property damage based on any cause of action arising out of a motor vehicle accident, for damages incurred by an owner or operator who fails to maintain compulsory motor vehicle liability security.

Proposed law retains present law but changes "should" to "shall" to be consistent with the terminology of Act No. 1476 of the 1997 Regular Session.

(Amends R.S. 32:866(A)(1))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill.

1. Deleted all provisions requiring the owner who is not awarded any damages to pay attorney fees.