




Date: June 6, 2025 2:06 PM **Author:** GLORIOSO
Dept./Agy.: Public Safety, LA Highway Safety Commission
Subject: Prohibit use of Handheld Wireless Devices on Public Roadway **Analyst:** John McKay

Proposed legislation prohibits drivers from calling, text messaging, or using social networking on a handheld telecommunication device while driving on a public road. Proposed legislation provides new and enhanced definitions. This measure provides for exception to the wireless telecommunication device prohibition for a law enforcement officer, firefighter, and operator of emergency vehicle as well as for any person reporting a traffic accident, reporting serious injury or death, using a dispatching system, using hands-free GPS, or while a vehicle is lawfully stationary. Proposed legislation provides for moving violation fines beginning 1/01/26 as follows: \$250 or \$100 and up to 15 hours of community service for primary violations in a school zone or highway construction zone; \$100 or \$50 and up to 15 hours of community service for secondary violations in any location other than a school zone or highway construction zone; double fines if driver involved in traffic accident; and provides for an allocation of a portion of fines to be distributed to the indigent defender fund of the corresponding judicial district as follows: \$100 for primary offense and \$50 for secondary offense. Proposed legislation requires that beginning April 1, 2027, and continuing until April 1, 2032, the Dept. of Transportation and Development and the office of state police submit a report annually to the legislature regarding the impact of the proposed measure.

EXPENDITURE EXPLANATION
There is no anticipated direct material effect on governmental expenditures as a result of this measure.

Proposed measure will have an indeterminable impact on Local Funds revenues as a result of fines being reduced while increasing the portion of the fine distributed to the indigent defender fund of the corresponding local judicial district. Proposed legislation repeals present law fines of \$500 for the first violation; \$1,000 for 2nd and subsequent violations; and double fines if a driver was involved in a traffic accident. Proposed measure provides for lower fines of \$250 or \$100 and up to 15 hours of community service for primary violations in a school zone or highway construction zone; \$100 or \$50 and up to 15 hours of community service for secondary violations in any location other than a school zone or highway construction zone; and maintains that fines shall be doubled if the driver involved in a traffic accident is found to be in violation of the prohibition on using wireless devices.

Under the present law, the indigent defender fund of the judicial district in which the violation is issued receives \$25 from the fines collected. Proposed law increases the amount accrued to the indigent defender fund of the judicial district in which the violation was issued by \$75 for violations occurring in a school zone or highway construction zone and \$25 for violations occurring in any location other than a school zone or highway construction zone. Because the number of drivers who may be fined under the proposed law is unknown, revenue derived from this source is indeterminable. However, all fines would accrue to local governing entities.

<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>	
<input type="checkbox"/> 13.5.1	>= \$100,000 Annual Fiscal Cost {S & H}	<input type="checkbox"/> 6.8(F)(1)	>= \$100,000 SGF Fiscal Cost {H & S}
<input type="checkbox"/> 13.5.2	>= \$500,000 Annual Tax or Fee Change {S & H}	<input type="checkbox"/> 6.8(G)	>= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}
			 Patrice Thomas Deputy Fiscal Officer