



# THE CHESAPEAKE GROUP, LLC

## A GOVERNMENTAL RELATIONS FIRM

### Legislative Update 2024 Legislature, Regular Session Louisiana Motor Transport Association

#### **House Floor:**

**HB 687 (Passed-Y:75/N:21)** by Mark Wright→The proposed bill authorizes the Port of New Orleans to use public-private partnerships for the development of the St. Bernard Transportation Corridor roadway. This project aims to support commercial traffic to the Louisiana International Terminal, serve as a local alternative route, and enhance emergency evacuation. It includes bridges, elevated roads, drainage systems, utility relocations, and more. The board may acquire property, accept funding, and charge user fees. The amendments clarify that "board" refers to the Port's commissioners and require legislative committee approval for final partnership agreements.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1416187>

Read adopted amendment here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1415293>

#### **Senate Floor:**

**HB 431 (Passed-Y:28/N:9)** by Emily Chenevert→The proposed bill changes Louisiana's pure comparative fault system to a modified comparative fault system with a 51% bar to recovery, effective January 1, 2026. Under the new system, if a plaintiff is found to be 51% or more at fault, they are barred from recovering damages. If the plaintiff's fault is less than 51%, their recoverable damages are reduced in proportion to their degree of fault. The bill enacts Civil Code Article 2323(D), which requires that juries be instructed on the effect of this fault allocation rule. Amendments provide technical changes and clarify the fault threshold.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1409230>

Read adopted amendments here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1407072>

<https://legis.la.gov/legis/ViewDocument.aspx?d=1414026>

**HB 434 (Passed-Y:28/N:9)** by Jason DeWitt→The proposed bill raises recovery limitations for uninsured drivers, increasing the no-recovery threshold from \$15,000 (bodily injury) and \$25,000 (property damage) to \$100,000. Uninsured drivers awarded damages up to this amount are responsible for court costs. Insurers retain subrogation rights for amounts exceeding \$100,000, regardless of whether a lawsuit is filed. House Committee Amendments clarify these subrogation

rights and make technical changes. A new amendment exempts drivers from the recovery limitation if their lapse in coverage was 10 days or less and resulted from a payment timely mailed but not received.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1405636>

Read adopted amendment here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1405605>

<https://www.legis.la.gov/legis/ViewDocument.aspx?d=1414130>

**HB 436 (Passed-Y:27/N:10)** by Gabe Firment→The proposed bill prohibits unauthorized aliens from receiving general damages and compensation for past and future wages in automobile accident claims. However, it allows them to recover other special damages. An "unauthorized alien" is defined as someone unlawfully present in the U.S. under federal law. The bill adds this provision to Louisiana Civil Code Article 2315.12. The amendment clarifies that this restriction does not apply to claims made under uninsured or underinsured motorist policies if the unauthorized alien is a named insured.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1406855>

Read adopted amendment here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1415640>

**HB 450 (Passed-Y:28/N:9)** by Michael Melerine→The proposed bill eliminates a presumption of causation of injuries in certain circumstances. The proposed bill aims to eliminate the ability of a claimant to prove damages by relying on presumptions such as prior good health, the persistence of injury after the incident, or a reasonable causal link. It requires claimants to affirmatively prove every element of their damages claim. The law applies prospectively, excludes workers' compensation cases, and is intended to overrule the *Housley v. Cerise* decision. House floor amendment provide clarification that the lack of a prior history of an illness, injury, or condition shall not create a presumption that an illness, injury, or condition was caused by the act that is the subject of the claim.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1409211>

Read adopted amendment here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1407331>

**HB 549 (Passed-Y:36/N:0)** by Rodney Schamerhorn→The proposed bill requires a premium discount for policyholders of commercial motor vehicles with installed dashboard cameras and telematics systems. The proposed bill aims to improve public safety, reduce insurance fraud, and lower claims costs by incentivizing the use of dashboard cameras paired with telematics systems in commercial motor vehicles. It requires insurers authorized to issue commercial motor vehicle liability policies in Louisiana to offer actuarially justified premium discounts for vehicles equipped with such technology. The proposed bill outlines qualification criteria, including proof of installation, continuous operation, and annual compliance verification through telematics reports or affidavits. It further mandates annual reporting by insurers to the commissioner, with summarized findings submitted to legislative committees, and takes effect January 1, 2026. House floor amendment provides exemptions for surplus lines insurers from the proposed bill.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1409307>

Read adopted amendment here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1408961>

**SB 231 (Passed-Y:27/N:8)** by Mike Reese→The proposed bill revises rules for recovering past medical expenses in civil cases. It retains current limits on recoveries for expenses paid by insurers, Medicare, Medicaid, or workers' compensation, but repeals provisions awarding 40% of

the difference between billed and paid amounts. It allows recovery of actual amounts paid and owed, including liens or guarantees, and requires courts to consider both billed and paid amounts. Recovery is limited to the amount actually paid when a pre-negotiated discount exists. The bill applies only prospectively. The amendments remove several existing definitions and provisions while clarifying rules for evidence and recoverable amounts.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1417378>

Read adopted amendment here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1414031>

<https://legis.la.gov/legis/ViewDocument.aspx?d=1416436>

<https://legis.la.gov/legis/ViewDocument.aspx?d=1417353>

<https://legis.la.gov/legis/ViewDocument.aspx?d=1417373>

## **Legislative Bureau:**

**SB 214 (As Amended)** by Royce Duplessis→The proposed bill changes the office of the Louisiana Commissioner of Insurance from an elected to an appointed position. The governor will appoint the commissioner, subject to Senate confirmation, for a six-year term, with a maximum of two consecutive terms. A nominating committee with members appointed by various state officials and organizations will submit three nominees to the governor. The bill outlines qualifications, term limits, and removal conditions for the commissioner. Implementation will begin upon the expiration or vacancy of the current commissioner's term. The amendments expand the nominating committee and change the effective date to August 1, 2028.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1414902>

Read adopted amendments here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1414759>

<https://legis.la.gov/legis/ViewDocument.aspx?d=1415505>

<https://legis.la.gov/legis/ViewDocument.aspx?d=1416584>

## **House Transportation:**

**HCR 3 (Voluntarily Deferred)** by Nicholas Muscarello→The proposed bill prohibits the construction of new outdoor advertising structures with stacked displays after July 31, 2025. Existing stacked signs will be deemed legal nonconforming and may only be repaired as single-display signs. It increases minimum spacing requirements for billboard structures near interchanges, intersections, and rest areas from 500 feet to 1,000 feet on certain highways, and from 100 or 300 feet to 1,000 feet in various other zones. The amendments also repeal existing rules permitting stacked sign structures and direct the inclusion of these changes into the Louisiana Administrative Code.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1404422>

**SB 11 (Favorably)** by Jay Luneau→The proposed bill removes the requirement that a vehicle must be traveling 10 miles per hour or less below the speed limit in the left lane to be subject to penalties. It increases the fines for such violations to \$150 for a first offense, \$250 for a second offense, and \$350 for a third offense. Additionally, it allows for up to 30 days of imprisonment for a third offense within 12 months of the first. The bill becomes effective on August 1, 2025.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1406006>

## **Senate Judiciary A:**

**SB 148 (Voluntarily Deferred)** by Blake Miguez→The proposed bill requires that any defendant who has all causes of action against them dismissed—either through a dispositive motion or exception before trial, or after trial—must be awarded a judgment for the full amount of costs and attorney fees incurred in their defense. This applies to every plaintiff who filed the dismissed action. The bill aims to ensure compensation for defendants who successfully defend against all claims. It becomes effective August 1, 2025.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1404164>

**SB 150 (Voluntarily Deferred)** by Kirk Talbot→The proposed bill revises rules on recovering medical expenses in civil claims. It removes prior limitations that capped recoverable amounts based on what health insurers or Medicare paid and repeals formulas for awarding additional costs tied to procurement. Instead, it allows broader admissible evidence—such as billed and paid amounts, insurance premiums, and expert testimony—to determine fair recovery. The court may award up to 1.5 times the claimant's prior-year premiums. Restrictions on jury exposure to billing details are repealed. The changes apply prospectively starting January 1, 2026. Definitions of certain terms are also eliminated.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1404169>

**SB 209 (Voluntarily Deferred)** by Valarie Hodges→The proposed bill modifies the rules governing the recovery of medical expenses in motor vehicle accident cases when the claimant lacks health insurance coverage. It limits recovery of unpaid past and future medical expenses to 120% of the applicable Medicare rate or 170% of the Medicaid rate if no Medicare rate exists. It retains current limitations for expenses paid by insurers, Medicare, Medicaid, or workers' compensation. The bill applies prospectively only and does not affect claims filed before its effective date. The amendments clarify recovery limits and add new provisions specific to uninsured claimants.

Read full Provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1404655>

## **Senate Judiciary C:**

**HB 403 (Favorably as Amended)** by Christopher Turner→The proposed bill increases fines for various driving offenses, including impaired driving, reckless operation of vehicles (including off-road), speeding, and drag racing. Additional fines range from \$5 to \$250 depending on the offense and number of prior convictions. Revenues from these added fines will be collected by the clerk of court and deposited into the Louisiana Emergency Response Network Fund, which supports initiatives to reduce deaths from trauma, stroke, and STEMI. The amendments add specific penalties for speeding and drag racing violations and include technical corrections.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1412613>

Read adopted amendments here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1409765>

<https://legis.la.gov/legis/ViewDocument.aspx?d=1410209>

<https://legis.la.gov/legis/ViewDocument.aspx?d=1415591>

## **Senate Commerce:**

**HB 476 (Favorably as Amended)** by Bryan Fontenot→The proposed bill allows the current maximum fee of \$425 charged by motor vehicle dealers to be automatically adjusted each year based on the Consumer Price Index for All Urban Consumers (CPI-U), beginning January 1, 2026. The adjustment is capped at a compounded annual growth rate of 3%, with no increase if the CPI-U shows a negative change. The legislative auditor will calculate the new fee annually and provide it to the Louisiana Motor Vehicle Commission, which must publish the updated amount. The amendments refine the CPI-U calculation method and designate the commission responsible for publishing the adjusted fee.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1411988>

Read adopted amendment here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1408962>

<https://legis.la.gov/legis/ViewDocument.aspx?d=1411232>

<https://legis.la.gov/legis/ViewDocument.aspx?d=1416949>

## **Senate Insurance:**

**HB 635 (Passed-Y:98/N:1)** by Dennis Bamburg→The proposed bill renames the “Captive Insurers Law” as the “Creating Holistic Options in Coverage for Enterprise and Self-Insurance (CHOICES) Law” and revises regulations for domestic captive insurance companies and affiliated entities. It updates definitions, allows new types of captive insurers, modifies capital and surplus requirements, and outlines incorporation, governance, and operational standards. The bill reduces capital thresholds for certain insurers, adds tax provisions, and establishes rules for redomestication, dormant companies, and affiliated reinsurance. Amendments include technical corrections, changes to terminology, and adjustments to the policy filing period from 30 to 45 days before use.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1414579>

Read adopted amendments here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1410080>

<https://legis.la.gov/legis/ViewDocument.aspx?d=1412351>

<https://legis.la.gov/legis/ViewDocument.aspx?d=1413767>