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A GOVERNMENTAL RELATIONS FIRM

Legislative Update 2025 Legislature, Regular Session Louisiana Motor Transport Association

House Civil Law:

HB 34 (Favorably as Amended) by Brian Glorioso→The proposed bill provides for transparency in medical expenses. HB34 revises rules for recovering medical expenses at trial. It repeals prior limits tied to amounts paid by insurers or Medicare and deletes definitions like “contracted medical provider.” Previously, recovery was capped at paid amounts with 40% of the billed-paid difference potentially awarded; this is repealed. Now, either party may present evidence of amounts billed, paid, or both, and introduce expert testimony on expense reasonableness. Agreements like letters of protection between providers and attorneys are now admissible. The bill also removes the exception for cases under the Louisiana Medical Malpractice Act. Amendments include technical edits and clarifications on admissible evidence. Read full provisions here:

<https://www.legis.la.gov/legis/ViewDocument.aspx?d=1405640>

Read adopted amendment here:

<https://www.legis.la.gov/legis/ViewDocument.aspx?d=1405616>

HB 291 (Favorably) by Jay Galle→Provides relative to prescriptive periods for wrongful death and survival actions. This bill extends the time allowed to file survival and wrongful death actions in Louisiana from one year to two years. It amends Civil Code Articles 2315.1 and 2315.2 to reflect the new two-year prescriptive period.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1405501>

HB 431 (Favorably as Amended) by Emily Chenevert→The proposed bill changes the pure comparative fault system to a modified comparative fault system with a 51% bar to recovery. If the plaintiff's fault is less than 51%, they may recover damages proportionate to the fault of other parties, effective January 1, 2026. Amendment changes the threshold for a plaintiff's bar to recovery from 50% to 51%.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1405618>

Read adopted amendment here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1405580>

HB 434 (Favorably as Amended) by Jason DeWitt→Provides relative to recovery limitations for failure to maintain compulsory motor vehicle liability security. The proposed bill aims to raise

the recovery limit for uninsured drivers. It establishes that no recovery can be made for the first \$100,000 of bodily injury or property damage, up from the previous \$15,000 and \$25,000 limits. The bill also specifies that if an uninsured driver is awarded damages up to \$100,000, they are responsible for all court costs. Additionally, insurers will retain subrogation rights for claims exceeding the \$100,000 threshold for both bodily injury and property damage, whether or not a lawsuit is filed.

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>

HB 443 (Favorably as Amended) by Chance Henry→Provides relative to notices required in a delictual action. The proposed bill requires a plaintiff's attorney to send written notice to the defendant within 10 business days of being retained, if the defendant has insurance that may cover damages. The notice must include key details about the plaintiff and the incident. Attorneys who fail to comply may face sanctions. Amendments remove the requirement that a defendant's insurer be notified if the plaintiff retains counsel.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1405630>

Read adopted amendments here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1405602>

HB 450 (Favorably) by Michael Melerine→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.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1405517>

House Transportation:

HB 428 (Favorably) by Ryan Bourriaque→The proposed bill formally re-creates the Department of Transportation and Development (DOTD) and all statutory entities within it, as required by R.S. 49:193. Under current law, the department would terminate on July 1, 2025, with its legislative authority ending July 1, 2026. The bill resets this termination schedule, re-creating the DOTD effective June 30, 2025, and extending its existence until July 1, 2030.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1405593>

HB 556 (Favorably as Amended) by Ryan Bourriaque→Reforms operations for the Louisiana Department of Transportation and Development. The proposed bill establishes an Office of Project Delivery within the Louisiana Department of Transportation and Development (DOTD) to improve oversight and efficiency in project execution. It authorizes the hiring of professional services, such as engineering and legal, with contracts to be executed by January 1, 2026, and allows individuals with disabilities to serve as Bridge Tender I. It also permits the chief engineer or assistant secretary to designate certain highways for repair using less stringent standards under specific conditions. House amendments clarified civil service limitations and technical wording, and added provisions regarding contract execution and personnel eligibility.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1405792>

Read adopted amendment here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1405650>

HB 621 (Substituted by HB 640) by Ryan Bourriaque→The proposed bill aims to establish the Louisiana Highway Construction Authority. The bill aims to create the Louisiana Highway Construction Authority within DOTD to improve and expedite highway and bridge projects. The authority is given independent powers to plan, fund, and manage transportation improvements. DOTD must coordinate with the authority on all relevant projects. Effective upon governors signature or lapse of time.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1404596>

House Insurance:

HB 437 (Voluntarily Deferred) by Gabe Firment→Requires claimants to meet deductible payments, authorizes insurers to require proof of loss statements, and increases penalties for insurers who fail to timely settle claims for rental vehicles.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1403629>

HB 438 (Voluntarily Deferred) by Gabe Firment→Modifies the definition of "expenses" for insurance rate setting by excluding "institutional advertising expenses." These are advertising costs not directly related to acquiring business or informing consumers about insurance products. Starting January 1, 2026, insurers cannot use these expenses when determining whether their rates are excessive, inadequate, or discriminatory.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1403631>

HB 440 (Favorably as Amended) by Chance Henry→The proposed bill requires insured claimants to first file a medical claim with their personal health insurer or Medicare/Medicaid when injured in an automobile accident. The claimant's insurer or government provider can then subrogate against the automobile liability insurer. If the claimant fails to use available health insurance, a rebuttable presumption is created that they failed to mitigate damages. If the presumption stands, the damage award may be reduced based on the medical expenses that could have been covered by insurance. This law applies only prospectively and excludes medical malpractice claims. Effective January 1, 2026.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1403634>

Read adopted amendments here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1406178>

HB 549 (Favorably) by Rodney Schamerhorn→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.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1406062>

HB 576 (Favorably as Amended) by Robby Carter→The bill aims to revise insurance rate regulation by redefining "excessive" to include rates producing unreasonably high profits or expense provisions unreasonably high relative to services rendered. It eliminates distinctions between competitive and noncompetitive markets, instead generally prohibiting excessive, inadequate, or unfairly discriminatory rates across all markets. The bill requires the commissioner of insurance to disapprove such rates and, upon request, specify interim rates that protect the interests of all parties. Amendments to the bill removed language regarding actuarial justification, required the commissioner to set interim rates upon disapproval, and authorized escrow and refund of overcharged premiums, excluding insignificant amounts.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1406182>

Read adopted amendment here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1406170>

Senate Transportation:

SB 11 (Favorably) by Jay Luneau→Provides for penalties for certain traffic offenses. The proposed bill amends Louisiana Revised Statutes 32:71(B)(2) to establish graduated fines for vehicles traveling more than 10 mph below the posted speed limit in the left lane. The proposed penalties are \$150 for a first offense, \$250 for a second offense within 12 months, and \$350 or up to 30 days imprisonment for a third offense within the same period. Effective August 1, 2025.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1397168>

Senate Insurance:

SB 199 (Voluntarily Deferred) by Brach Myers→Provides for the authority of the Department of Insurance in instances of fraud. The bill broadens the definition of "business of insurance" to include activities such as marketing and claims resolution. It gives the insurance commissioner the authority to take action against unlicensed individuals without the need for prior hearings. Additionally, the bill allows the commissioner to establish rules for the electronic delivery of notices, which aims to enhance the efficiency and effectiveness of enforcement and regulatory processes within the insurance industry.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1404626>