



# THE CHESAPEAKE GROUP, LLC

A GOVERNMENTAL RELATIONS FIRM

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

### House Floor:

**HB 381 (Passed-Y:104/N:0)** by Jacob Braud→Provides for spending of windfall proceeds from toll collections on public-private partnership projects. The proposed law allows the department to use windfall proceeds to: (1) reduce toll rates on the project, (2) settle amounts owed to developers for early handback options, (3) cover annual CPI buy-down payments, (4) fund department projects in specified areas, and (5) fulfill any other agreed-upon purposes outlined in contract amendments.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1355007>

**HB 589 (Passed-Y:100N:0)** by Jay Galle→Prohibits a commercial learner's permit or driver's license if not cleared by the Federal Motor Carrier Safety Administration, Drug and Alcohol Clearinghouse. The proposed law mandates that commercial driver's licenses or learner's permits can only be issued upon clearance through the Federal Motor Carrier Safety Administration's Drug and Alcohol Clearinghouse. It updates the effective date in current law and requires checks on all applications. If an applicant is prohibited from commercial vehicle operation, the department is prohibited from issuing or renewing their permit. If such notification originates from the Clearinghouse, the department must comply with existing laws on license suspension or revocation. Additionally, the law specifies that inadvertent issuance of a license or permit does not constitute a breach of duty by the department.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1355946>

### Senate Floor:

**SB 372 (Passed-Y:35/N:0)** by Jimmy Harris→ Provides relative to motor vehicle service contracts. Removes the requirement to pay the \$600.00 fee when filing an application for initial registration and organizational documents. Additionally, removes the \$250.00 fee for the renewal application.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1354293>

### House Civil Law:

**HB 24 (Favorably)** by Micheal Melerine→Provides relative to evidentiary presumptions in personal injury claims. Eliminates the presumption of causation established by lack of prior history of an injury. Provides that the lack of a prior history of an illness or injury shall not create a presumption that an illness or injury was caused by the act that is the subject of the claim.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1355723>

Read adopted amendments here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1355690>

**HB 229 (Voluntarily Deferred)** by Kyle Green Jr.→Requires a three-year prescription on torts. Provides that delictual actions and actions involving damage to immovable property have a liberative prescription of three years.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1347585>

**HB 315 (Favorably)** by Mike Johnson→Relative to tort actions. Changes prescriptive periods for tort actions from one year to two-years.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1356180>

**HB 336 (Favorably)** by Emily Chenevert→The proposed law establishes the Litigation Financing Disclosure Act, defining terms like "attorney" and "litigation financier". It mandates disclosure of litigation financing contracts by parties or their attorneys. Exceptions are made for nonprofit legal organizations seeking injunctive relief, protecting their donors' anonymity. The law allows discovery of litigation financing in civil cases and requires disclosure of relationships between attorneys and financiers in class actions. Violations nullify financing contracts, but nonprofits funded for pro bono work are exempt.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1355731>

Read adopted amendments here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1355702>

**HB 423 (Favorably)** by Michael Melerine→Provides for the payment of recoverable medical expenses from collateral sources. Makes changes to current law by deleting the requirement that the court shall award the claimant 40% of the difference between the amount billed and the amount actually paid to the contracted medical provider by a health insurance issuer or Medicare.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1356193>

## **House Insurance:**

**HB 337 (Favorably)** by Jack McFarland→Provides that in direct action cases, an action is filed against the insured first and may be filed against the insurer under limited circumstances. Provides that the purpose of all liability policies is to provide protection and coverage to all insured whether the insured is a named insured or an additional insured under the omnibus clause, for all legal liability the insured may have within the terms and limits of the policy. Amendment includes technical changes.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1349899>

Read adopted amendments:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1354629>

## **House Transportation:**

**HB 286 (Favorably)** by Jacob Braud→Provides for toll exemptions for residents of a parish in which a public-private partnership project is located. The proposed law lets residents of a parish with fewer than 25,000 people cross a bridge, part of a public-private partnership, for free if they buy a toll tag, show vehicle registration, and prove residency.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1348754>

Read adopted amendments here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1356182>

**HB 378 (Voluntarily Deferred)** by Phillip Tarver→Prohibits a toll facility or an employee from impacting a person's driver's license or renewal due to failure to pay tolls or fines.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1350122>

**HB 695 (Favorably)** by Bryan Fontenot→Creates an overweight permit to transport earthen material for government funded levee projects. The proposed law introduces special overweight permits for trucks transporting earthen materials for government-funded levee projects. Permits are valid for one year, require designated routes and project details, and cost \$1,000 per project. Vehicle weights must adhere to specified limits, with penalties for violations. The Secretary enforces rules, and municipal or parish ordinances on weight limits are unaffected.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1356301>

## **Senate Commerce:**

**SB 10 (Favorably)** by Thomas Pressly→Provides for the recognition of separate legal personalities among affiliated corporations and other business entities. The proposed law safeguards the separate legal identity of business organizations unless there are legitimate reasons to disregard it, similar to those applied when disregarding a business's separate identity in relation to individuals. Circumstances such as common control, directors, or financial ties between businesses wouldn't alone justify disregarding their separate identity. It defines "business organization" broadly and doesn't affect actions by the insurance commissioner or laws permitting consolidation. The law applies prospectively to all existing and future business entities, preserving their legal autonomy unless exceptional circumstances warrant otherwise.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1346347>

## **Senate Judiciary A:**

**SB 16 (Favorably)** by Thomas Pressly→Provides for expert testimony. Aims to amend the introductory paragraph of Code of Evidence Act Article.702 by introducing a new burden of proof. Requires expert witnesses to provide the factual basis for their testimony upon request, not only in the context of a deposition as previously required, but also during a pre-trial hearing. The amendment enhances the disclosure requirements for draft expert reports and provides guidelines for the timing of such disclosures.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1346359>

## **Senate Transportation:**

**SB 93 (Voluntarily Deferred)** by Valarie Hodges→Prohibits commercial motor vehicles from driving on Louisiana Highway 1019 between Louisiana Highway 16 and Louisiana Highway 64. Directs the Department to impose weight limit restrictions on certain vehicles on La. Hwy 1019.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1349246>

**SB 260 (Favorably)** by Heather Cloud→Provides for amending and transferring commercial truck permits. The proposed amendment enables the modification and transfer of commercial truck permits. Upon request, the secretary will issue a special permit allowing a single vehicle or combination to operate. It introduces a "multi-use permit," transferable among vehicles owned by the same company. Additionally, the amendment mandates associating the unique identifier of the multi-use permit with the permit holder's USDOT number.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1352493>

Read adopted amendments here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1355636>

**SB 354 (Voluntarily Deferred)** by Robert Owen→ Provides for increased signage and penalties for driving in left lane on the state highways. Proposal requires the placement of signs on state highways instructing slower drivers to keep right. Introduces a higher fine, of \$200, for driving in the left lane in violation of the law.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1352786>

## **Senate Insurance:**

**SB 250 (Favorably)** by Robert Allain→Provides for no right of direct action against insurer. The proposed law restricts direct action against insurers under specific conditions and removes the provision stating that liability policies benefit all injured parties. Instead, it clarifies that liability policies aim to protect all insured individuals, whether named or additional, covering their legal liability within policy terms and limits. This change maintains the coverage objective of liability policies while specifying the scope of protection for insured parties.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1352470>