

NEWS RELEASE

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New La. highway safety laws impact most drivers and passengers

Laws that take effect in August and September designed to reduce deaths

New safety laws that take effect in August and September should save lives by requiring all vehicle passengers to buckle up, imposing 15-day jail sentences on people caught driving while their licenses are suspended for a previous DWI, and suspending for one year licenses of suspects who refuse to take a DWI blood alcohol concentration (BAC) test.

The new DWI laws passed by the Legislature this year were part of a package proposed by Gov. Bobby Jindal and the DWI-Vehicular Homicide Task Force. The three DWI measures are designed to reduce the state's above-average alcohol-related traffic deaths. In 2008, 449 people were killed in alcohol-related crashes in Louisiana. The state's 2008 alcohol-related crash deaths represented 49 percent of all highway deaths, compared to the nationwide average of 32 percent.

The new seat belt law requires the driver and passengers over the age of 13 seated in both the front and rear seats of vehicles to buckle up. Previously, only front-seat passengers and children were required to buckle up or be protected by an age-appropriate child restraint. The new law requires rear-seat passengers to also buckle up.

“Together these measures represent the most sweeping advances in highway safety laws Louisiana has experienced in a number of years,” said Lt. Col. John LeBlanc, executive director of the Louisiana Highway Safety Commission. “We estimate the rear seat safety belt law alone could save 22 lives in Louisiana every year.”

Louisiana State Police Superintendent Col. Mike Edmonson said the increased DWI penalties are new tools that will help save lives.

"These new laws further demonstrate the commitment of our state's leadership to ensure that Louisiana's highways are safe. Whether a driver or a passenger, it is the responsibility of every citizen to promote safe habits while on our highways," Edmonson said. "We must work together to change the culture in Louisiana that perpetuates unsafe habits—like drinking and driving and not buckling seat belts. Changing that culture won't be easy but we are determined to make our highways safer for everyone."

The four key highway safety laws taking effect are:

Act 166 by Rep. Nickie Monica of LaPlace and Sen. Neil Riser of Columbia requires all occupants over 13 years old to buckle up in most vehicles. The law applies to all vehicles having a gross weight of 10,000 pounds or less, which includes automobiles, vans and pick-up trucks. The law provides for fines of \$25 for the first violation, \$50 for a second violation, and \$50 plus court costs for subsequent violations. Louisiana is a “primary enforcement” state, meaning that officers can stop and ticket motorists they observe not wearing seat belts. In 2008, 33 of the 55 back-seat occupants killed in Louisiana were not wearing their seat belts. Seat belts reduce the chance of death in a crash by 45 percent and of injury by 50 percent.

Act 288 by Rep. Damon Baldone of Houma and others suspends driver’s licenses for one year (up from six months) for drivers who refuse to take a BAC test. The suspension goes up to two years for a driver who refuses the test during a second stop. In 2007—the most recent year for which complete data is available—8,892

suspects refused to take a BAC and 13,805 agreed to the test. Over 11,000 of the 13,805 submittals were first time offenders.

Act 236 by Sen. Reggie Dupre of Houma and others requires an automatic 15 days in jail for persons caught driving while their license is suspended because of a previous refusal to take a BAC test, for previously taking and failing a BAC test, or for being suspended for a DWI or vehicular negligent injury conviction. The automatic jail time jumps to 60 days for anyone driving under suspension for manslaughter, negligent homicide or vehicular homicide.

Act 287 by Rep. Jonathan Perry of Kaplan and others streamlines the administrative hearing process as well as the legal process of prosecuting DWI suspects. This new law will help to strengthen DWI enforcement significantly.

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