

SENATE BILL NO. 274

BY SENATOR MOUNT

1 AN ACT

2 To amend and reenact R.S. 32:663, relative to motor vehicles and traffic regulations; to
3 provide for a determination of the qualifications and competence of those issued
4 permits for the purpose of chemical testing for drivers suspected of operating a
5 vehicle while impaired by alcohol or controlled dangerous substances; and to provide
6 for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:663 is hereby amended and reenacted to read as follows:

9 §663. Approval of testing methods by Department of Public Safety and Corrections

10 A. Chemical analyses of the person's blood, urine, breath, or other bodily
11 substance, to be considered valid under the provisions of this Part, shall have been
12 performed according to methods approved and promulgated by the Department of
13 Public Safety and Corrections and performed by an individual possessing a valid
14 permit issued by said department for the purposes set forth in this Part. The
15 Department of Public Safety and Corrections is authorized to approve satisfactory
16 techniques or methods, to ascertain the qualifications and competence of individuals
17 to conduct such analyses, and to issue permits which shall be subject to termination
18 or revocation at the discretion of the department in accordance with regulations
19 approved and promulgated by the department pursuant to the Administrative
20 Procedure Act.

21 B. The Department of Public Safety and Corrections may use an
22 individual's or a laboratory's certification by one or more of the following
23 professional organizations in its determination of the qualifications and
24 competence of individuals as required by Subsection A of this Section prior to
25 the issuance of a permit. The certification by the following professional
26 organizations may be considered in issuing such permits:

1 (1) College of American Pathologists.

2 (2) American Board of Forensic Toxicology.

3 (3) Forensic Quality Services.

4 (4) American Society of Crime Lab Directors.

5 C. Issuance of a permit to such a certified individual or laboratory makes
6 all laboratory forensic test results conducted on a person's blood, urine, or other
7 bodily substance by such individual or laboratory valid under the provisions of
8 this Part, and admissible and competent evidence of intoxication in any court
9 of law.

10 Section 2. This Act shall become effective upon signature by the governor or, if not
11 signed by the governor, upon expiration of the time for bills to become law without signature
12 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
13 vetoed by the governor and subsequently approved by the legislature, this Act shall become
14 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____