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## DIGEST

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HB 742 Reengrossed

2015 Regular Session

Leger

**Abstract:** Provides for selection and prioritization of projects to be constructed by the Dept. of Transportation and Development in the ensuing fiscal year.

Present law requires that the Dept. of Transportation and Development (DOTD) provide the legislature with a program of construction for highways, commonly referred to as the "Highway Priority Program", to be commenced in the ensuing year, which is to be based on the anticipated revenues to be appropriated by the legislature and listed in an order of priority of projects for each of the 12 functional classifications of state highways.

Present law provides that the order of priorities are to be based on an illustrative list, but not exclusive, of the following factors:

- (1) Alignment of existing roads.
- (2) The width and/or elevation of the existing roadway and shoulder surfaces.
- (3) The width of the rights-of-way.
- (4) The cost of construction.
- (5) The type and volume of traffic.
- (6) The condition of structures and drainage.
- (7) The accident rate.
- (8) The geographical distribution of the roadways to be constructed or reconstructed.
- (9) Population growth in each parish and the existing state highway transportation infrastructure to support the increase in population.
- (10) Economic development potential.
- (11) The safe evacuation of population when necessitated by catastrophic events such as hurricanes or flooding.

Present law further provides that DOTD shall consider the following conditions in fixing priorities:

"Primarily the condition of the roads, streets, and structures making up the state highway system and the relative urgency of the improvements considering in their order general needs, traffic volume, accident records, technical difficulties in the preparation of plans and the procurement of rights-of-way, as well as unforeseeable emergencies such as floods. In fixing priorities, the department shall also consider and include capacity improvements in geographic areas where population has grown or traffic volume has increased and capacity improvements are necessary. In fixing priorities for bridges, the department may give higher priority to bridges with high volumes of traffic."

Proposed law repeals present law.

Proposed law provides that the legislature declares it to be in the public interest that a prioritization process for construction be utilized to develop a Highway Priority Program (program) that accomplishes certain goals (prioritization factors).

Proposed law requires that projects to be included in the program be selected utilizing a process based on an objective analysis that considers a list of factors relative to the cost of the project and anticipated revenues to be appropriated by the legislature (selection factors).

Proposed law specifies that prior to selecting a project for inclusion in the program based on the selection factors, DOTD shall screen all projects submitted for inclusion in the program to determine whether they are consistent with the most recent Statewide Transportation Plan and warrant inclusion in the program.

Proposed law provides that beginning with the Highway Priority Program for Fiscal Year 2017-2018, DOTD shall provide the legislature and public with this program which shall list projects to be constructed in the ensuing fiscal year in an order of priority that is determined after projects selected to be in the program pursuant to selection factors in proposed law are analyzed and prioritized based upon the prioritization factors in proposed law.

Proposed law requires that DOTD initially identify prospective outcomes of each program and report these prospective outcomes to the legislature and make them available to the public on or before March 14, 2016.

Proposed law requires that DOTD then evaluate the actual outcomes of each program and establish revised prospective outcomes of each program on a biennial basis.

Proposed law requires that beginning in 2018, DOTD report the results of these biennial evaluations to the legislature and make them available to the public on the department website on a biennial basis when the department presents a proposed program of construction to the Joint Highway Priority Construction Committee in accordance with present law.

Proposed law provides that the process in proposed law shall apply to the program presented for Fiscal Year 2017-2018.

Sections 1 and 2 of proposed law are effective on March 14, 2016.

Sections 3 and 4 are effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 48:229.1; Repeals R.S. 48:229)

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Remove requirement that prior to prioritizing the projects based upon the prioritization factors, the Dept. of Transportation and Development (DOTD) shall assign weights to the prioritization factors for each of the state's highway districts based upon the unique needs and qualities of each.
2. Remove authorization permitting DOTD to assign different weights to the factors within each highway district based on the unique needs and qualities of each highway district.
3. Remove requirement that DOTD shall evaluate the outcomes of each project one year following the end of the fiscal year in which the project is commenced, five years following the end of the fiscal year in which the project is commenced, and 10 years following the end of the fiscal year in which the project is commenced.
4. Add that DOTD shall evaluate the outcomes of each program beginning March 14, 2016, and that the results of these biennial evaluations and programmatic outcomes shall be reported to the legislature and made available to the public on the department website biennially beginning in calendar year 2018.
5. Make technical changes.

#### The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Change proposed law regarding reporting of program outcomes to instead require the following:

The Dept. of Transportation and Development initially identify prospective outcomes of each program and report these prospective outcomes to the legislature and make them available to the public on or before March 14, 2016.

The Dept. of Transportation and Development evaluate the actual outcomes of each program and establish revised prospective outcomes of each program on a biennial basis.

Beginning in 2018, the Dept. of Transportation and Development report the results of

these biennial evaluations to the legislature and make them available to the public on the department website on a biennial basis when the department presents a proposed program of construction to the Joint Highway Priority Construction Committee in accordance with present law.