

Regular Session, 2010

SENATE BILL NO. 659

BY SENATOR HEBERT

ROADS/HIGHWAYS. Establishes the State Highway Maintenance by Parishes Pilot Program providing for transfer of maintenance money to the parishes in DOTD District 03 for maintenance of state highways located in District 03. (7/1/10)

1 AN ACT

2 To enact R.S. 48:261.1, relative to state highway maintenance; to provide for the
3 establishment, implementation and funding of the State Highway Maintenance by
4 Parishes Pilot Program; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 48:261.1 is hereby enacted to read as follows:

7 **§261.1. State Highway Maintenance by Parishes Pilot Program**

8 **A. The State Highway Maintenance by Parishes Pilot Program is hereby**
9 **established to determine the feasibility and efficiency of transferring the**
10 **department's obligation to maintain state highways located in a parish to the**
11 **governing authority of the parish in which the state highways are located and**
12 **to provide funding for such program from the department to such parish.**

13 **B. (1) Beginning January 1, 2011, at the option of any parish in the**
14 **department's District 03, the department shall implement a pilot program**
15 **which transfers its obligation to maintain state highways in such parish to the**
16 **governing authority of said parish.**

17 **(2) This pilot program is not applicable to new overlay projects in**

1 **District 03.**

2 **(3) The department and parish shall enter into a cooperative endeavor**
3 **agreement, which includes but is not limited to, the following terms and**
4 **conditions:**

5 **(i) The parish agrees to obligate itself to maintain state highways in the**
6 **parish.**

7 **(ii) The department agrees to pay the parish a specific amount of money**
8 **to maintain state highways located in the parish.**

9 **(iii) The department and the parish agree to applicable maintenance**
10 **guidelines.**

11 **(iv) The term of the agreement.**

12 **C. A formula shall be used to determine the specific amount of money**
13 **the department shall pay to a parish governing authority to maintain state**
14 **highways located in the parish. The total amount of money allocated to District**
15 **03 for the fiscal year shall be divided by the total number of state highway miles**
16 **located in District 03 to determine dollars per mile. Dollars per mile shall be**
17 **multiplied by the number of state highway miles in the parish. The department**
18 **shall agree in the cooperative endeavor agreement to pay to the parish**
19 **governing authority the specific amount determined by formula.**

20 **D. Notwithstanding any other provision of law to the contrary, this**
21 **Section shall be in effect in the department's District 03 for the period beginning**
22 **July 1, 2010, and ending on June 30, 2013.**

23 **E. The House and Senate Committees on Transportation, Highways and**
24 **Public Works shall hold such public hearings as it deems necessary to study the**
25 **efficiency, effectiveness, and fiscal impact of the pilot program and may reenact**
26 **this Section to continue the State Highway Maintenance by Parishes Pilot**
27 **Program in District 03, or to implement the program in other department**
28 **districts.**

29 Section 2. This Act shall become effective on July 1, 2010.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Sharon F. Lyles.

DIGEST

Proposed law establishes the State Highway Maintenance by Parishes Pilot Program to determine the feasibility and efficiency of transferring the obligation to maintain state highways located in a parish from the department to the parish governing authority in which the state highways are located and to provide funding for such program from the department to a parish.

Proposed law provides that at the option of any parish in the department's District 03, the department shall implement a pilot program to transfer its obligation to maintain state highways in such parish to that parish's governing authority for the period beginning July 1, 2010, and ending June 30, 2013. District 03 contains the following parishes: Acadia, Evangeline, Iberia, Lafayette, St. Landry, St. Martin, St. Mary, and Vermillion.

Proposed law provides that the pilot program does not apply to new overlay projects.

Proposed law provides that the department and parish shall enter into a cooperative endeavor agreement which provides the following non-exclusive terms and conditions: (i) the parish governing authority agrees to obligate itself to maintain state highways located in the parish; (ii) the department agrees to pay the parish governing authority a specific amount of money to maintain said state highways; (iii) applicable maintenance guidelines; and, (iv) the term of the agreement.

Proposed law further provides that the specific amount of money the department shall pay to the parish governing authority shall be determined by formula. The total amount of money allocated to District 03 for the fiscal year shall be divided by the total number of state highway miles in District 03 to determine dollars per mile. Proposed law further provides that the dollars per mile shall be multiplied by the number of state highway miles located in the parish. Proposed law further provides that the amount of money the department shall pay to the parish shall be the amount determined by the above formula.

Proposed law provides that the pilot program in District 03 is effective from July 1, 2010 to June 30, 2013.

Proposed law requires the House and Senate Committees on Transportation, Highways and Public Works to hold public hearings as it determines are necessary to determine the effectiveness, efficiency, and fiscal impact of the program.

Proposed law further provides the program may be reenacted to continue the program in District 03 or to implement the program in other department districts.

Effective July 1, 2010. Sunsets June 30, 2013.

(Adds R.S. 48:261.1)