

GREEN SHEET REDIGEST

HB 567

2019 Regular Session

Larvadain

TRANSPORTATION: Provides relative to Louisiana Transportation Authority and Department of Transportation and Development toll violation enforcement

DIGEST

Proposed law authorizes the Dept. of Transportation and Development (DOTD) to collect and enforce tolls, and exercise as much police power as necessary to maintain the peace and accomplish the orderly handling of its authority to all state-owned toll facilities and allows DOTD to contract with an operating entity for this purpose.

Proposed law defines "pay" as paying a toll by cash, by permitting a charge against a valid toll-tag account with the DOTD, or by another means of payment approved by the DOTD.

Proposed law defines "toll" or "tolls" as any fee, or charge imposed, revised, and adjusted from time to time for the use of a state-owned transportation facility.

Proposed law defines "toll tag" as an electronic device issued for use with an ETC on any state-owned transportation facility.

Proposed law defines a "valid toll-tag account" as an existing toll-tag account with DOTD with a balance of not less than fifty cents.

Proposed law prohibits motor vehicles or trailers being towed from being driven or towed through any state-owned toll collection facility without payment of the proper toll.

Proposed law provides that in the event of nonpayment of a proper toll, the registered owner of such vehicle or trailer is liable to make prompt payment to the DOTD of the proper toll and in certain circumstances, an administrative fee of \$25 to recover the cost of collecting the toll.

Proposed law requires DOTD to adopt policies and procedures for the collection of tolls, administrative fee, and late charges authorized by Proposed law in accordance with the Administrative Procedure Act.

Proposed law provides procedures for the collection of tolls, administrative fees, and late charges by the DOTD.

Proposed law provides that a photograph, microphotograph, videotape, or other recorded image produced by a photo-monitoring device is admissible in a proceeding to collect a toll or other charge of the DOTD, to collect criminal penalties imposed, or to impose criminal liability for failure to pay the toll or charge.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 48:250.4.1)

Summary of Amendments Adopted by House

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

1. Make technical changes.
2. Provide definitions for "operating entity" and "private entity".
3. Require the Dept. of Transportation and Development (DOTD), in consultation with a private entity, through comprehensive agreement, to set forth policies and procedures for the collection of tolls, administrative fees,

and late charges authorized by present law for future state-owned toll facilities and makes the policies and procedures applicable to DOTD or a private entity.

4. Require DOTD, in consultation with a private entity, to set forth policies and procedures within the comprehensive agreement for a registered owner that fails to comply with the requirements of present law, such as late charges or sanctions, or both against the registered owner.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Transportation, Highways, and Public Works to the reengrossed bill

1. Replace language relative to the LTA and pursuant to R.S. 48:250.4, authorizes DOTD to collect and enforce tolls on state-owned toll facilities and provides rule making authority under the APA.
2. Change effective date to upon governor's signature.
3. Make technical amendments.