

**HOUSE COMMITTEE AMENDMENTS**

2025 Regular Session

Substitute for Original House Bill No. 616 by Representative Wright as proposed by the House Committee on Transportation, Highways and Public Works

**This document reflects the content of a substitute bill but is not in a bill form; page numbers in this document DO NOT correspond to page numbers in the substitute bill itself.**

To enact Subpart D of Part I of Chapter 1 of Title 34 of Louisiana Revised Statutes of 1950, to be comprised of 34:51 through 57, relative to the St. Bernard Transportation Corridor roadway; to provide for the purposes of the St. Bernard Transportation Corridor roadway; to designate powers and duties to the board; to provide for the establishment, design, construction, and financing of the St. Bernard Transportation Corridor roadway; to provide coordination with the Department of Transportation and Development and the Port of New Orleans; to establish supplemental powers and authority; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart D of Part I of Chapter 1 of Title 34 of Louisiana Revised Statutes of 1950, to be comprised of 34:51 through 57, is hereby enacted to read as follows:

SUBPART D. ST. BERNARD TRANSPORTATION CORRIDOR ROADWAY

§51. St. Bernard Transportation Corridor roadway; purpose; creation

A. The purpose of the St. Bernard Transportation Corridor roadway is to provide a transportation facility to serve as the direct commercial traffic corridor for the Louisiana International Terminal to the interstate highway system, as an alternative local traffic route, and as an emergency or evacuation route to benefit public safety. The Legislature of Louisiana has determined it to be a matter of public necessity to authorize the board to pursue a public-private partnership for the supplementation of public revenue sources for the design, engineering, planning, construction, operation, and maintenance of this roadway.

B. The transportation facility resulting from the project may include bridges, elevated roadways, limited-access facilities as defined in R.S. 48:1, and such other features as may be necessary to accomplish the project's purpose.

C. The project shall include all activities, structures, appurtenances, and features necessary to deliver the transportation facility including, but shall not be limited to the following:

(1) Roadways.

(2) Canals, ditches, catch basins, culverts, drains, or other improvements that ensure adequate drainage.

(3) Soil erosion control.

(4) Signage.

(5) Right of way acquisition.

(7) Utility relocations.

D. The project shall comply with all applicable provisions of state and federal law, including, but not limited to, the minimum safety guidelines promulgated pursuant to R.S. 48:35 and the uniform highway marking system as outlined in R.S. 32:235.

#### §52. Board of commissioners; powers and duties

The board shall have the authority to do all of the following:

(1) Enter into agreements with public and private entities for the study, design, construction, operation, maintenance, and financing of the St. Bernard Transportation Corridor roadway project.

(2) Acquire any immovable property, public or private, or the use thereof, needed for the St. Bernard Transportation Corridor roadway project by donation, purchase, exchange, lease, or expropriation in accordance with the expropriation laws.

(3) Accept any appropriation, donation, grant, contribution, or allocation from the United States or the state of Louisiana, or any agency or instrumentality of either, or any public utility or private entity or individual, and enter into any agreement not prohibited by applicable law needed to accept such appropriation, donation, grant, contribution, or allocation.

#### §53. Public-private partnership

A. The board of commissioners of the Port of New Orleans may solicit proposals for a public-private partnership to design, construct, finance, operate, and maintain the St. Bernard Transportation Corridor roadway project as provided in this Subpart.

B. In the solicitation of a public-private partnership, the board shall adhere to the provisions set forth in R.S. 48:2084 through 2084.15, as applicable to public-private partnership projects undertaken by the Louisiana Transportation Authority. Notwithstanding any provision to the contrary, the Louisiana Transportation Authority shall neither be required to grant approval for the development of the St. Bernard Parish Transportation Corridor roadway project nor serve as a party to the comprehensive agreement with any private entity. The enactment of this Subpart shall be deemed to constitute prior legislative approval as contemplated by R.S. 48:942.

C. Any agreement entered into by the board for a public-private partnership shall require a bond with good, solvent, and sufficient surety in an amount equal to or exceeding the requirements established for contracts by the Department of Transportation and Development pursuant to R.S. 48:256.3. Additionally, any agreement shall incorporate the provisions set forth in R.S. 48:256.5.

§54. Department of Transportation and Development; approvals; transfer; cooperation

A. The board shall obtain approval of the Department of Transportation and Development prior to including any activity, structure, appurtenance, or feature into the St. Bernard Transportation Corridor roadway project that impacts the state highway system.

B. The board and the department are authorized to make and enter into agreements concerning any portion of the development, acquisition, construction, operation, maintenance, or improvement of the St. Bernard Transportation Corridor roadway project.

C. Upon request by the board in connection with the St. Bernard Transportation Corridor roadway project, and upon terms mutually agreed upon by

the board and the Department of Transportation and Development, the department is authorized to expend available funds and utilize its engineering and other staff as deemed necessary and appropriate, in the department's discretion, to conduct traffic surveys, borings, surveys, preparation of plans and specifications, cost estimates, and other preliminary engineering and studies.

D. Nothing in this Subpart shall preclude the board from transferring the St. Bernard Transportation Corridor transportation facility to the Department of Transportation and Development for incorporation into the state highway system under terms and conditions mutually agreed upon by the board and the department.

§55. Design, access, control, and coordination of the St. Bernard Transportation Corridor Roadway

Following the completion of a feasibility study by the Regional Planning Commission, the board is authorized to design and regulate the St. Bernard Transportation Corridor roadway. The board shall consult with the Department of Transportation and Development regarding the final design of the St. Bernard Transportation Corridor roadway. Additionally, the board shall consult with St. Bernard Parish and the Department of Transportation and Development concerning any impacts the St. Bernard Transportation Corridor roadway project may have on existing and planned local and state roadways, drainage, flood protection, and other infrastructure interacting with the St. Bernard Transportation Corridor roadway.

§56. User fees and collections for the St. Bernard Transportation Corridor Roadway

A. User fees for the St. Bernard Transportation Corridor roadway are hereby authorized as provided in R.S. 48:2084.5.

B. Free and unhampered passage shall be granted to all persons entitled by law to such passage over toll roads and bridges within the state of Louisiana.

C. The board shall possess the same powers as the Department of Transportation and Development with respect to toll collection, administration, enforcement, access to vehicle records, toll tags, electronic toll collection, administrative fees, violation notices, appeal hearings, and the imposition of late charges, penalties, and sanctions, as provided in R.S. 48:250.4.1.

D. The exercise of the powers conferred by this Subpart for the development and operation of the St. Bernard Parish Corridor roadway project shall constitute the performance of essential governmental functions for public purposes. Notwithstanding the existence of any public-private partnership, the roadway and its associated property shall be exempt from taxation within the state of Louisiana.

§57. Supplemental powers and authority

Nothing in this Subpart shall be construed to restrict or limit any powers granted to the board of commissioners of the Port of New Orleans under any other laws of this state. This Subpart shall be deemed supplemental, conferring powers and authority in addition to those provided by any other general or special law.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB Draft

2025 Regular Session

**Abstract:** Authorizes the Port of New Orleans to utilize public private partnerships for the St. Bernard Transportation Corridor roadway project.

Proposed law authorizes the board to pursue a public-private partnership to fund the design, construction, and operation of the St. Bernard Transportation Corridor roadway, intended to serve as a direct commercial traffic route for the La. International Terminal, an alternative local route, and an emergency evacuation route to enhance public safety.

Proposed law authorizes the development of a transportation facility that may include bridges, elevated roadways, and limited-access features. Additionally, specifies that the project will encompass necessary components such as roadways, drainage systems, soil erosion control, signage, right-of-way acquisition, and utility relocations to ensure the facility's successful completion and operation.

Proposed law requires the project to comply with all relevant state and federal laws, including the minimum safety guidelines outlined in present law.

Proposed law authorizes the board to enter into agreements with public and private entities for the study, design, construction, operation, maintenance, and financing of the St. Bernard Transportation Corridor roadway project. Additionally, specifies that the board is empowered to acquire necessary property for the project through donation, purchase, exchange, lease, or expropriation in accordance with expropriation laws. Further, authorizes the board to accept appropriations, donations, grants, contributions, or allocations from federal or state sources, public utilities, private entities, or individuals and enter into agreements as needed to facilitate such acceptance.

Proposed law authorizes the board of commissioners of the Port of New Orleans to solicit proposals for a public-private partnership to design, construct, finance, operate, and maintain the St. Bernard Transportation Corridor roadway project.

Proposed law requires the board to comply with the provisions of present law and specifies it is not required to seek approval from the La. Transportation Authority. Additionally, specifies that agreements made require a bond with sufficient surety and must adhere to the bond requirements set by the Department of Transportation and Development (DOTD).

Proposed law requires the approval of the DOTD before including any elements in the St. Bernard Transportation Corridor roadway project that impact the state highway system. Additionally authorizes the board and DOTD to enter into agreements for various aspects of the project, including development, construction, and maintenance. Further, specifies that the DOTD may also be requested by the board to utilize its staff and funds for conducting surveys, preparing plans, and other necessary studies and allows the board to transfer the facility to DOTD for inclusion in the state highway system under mutually agreed terms.

Proposed law specifies that following a feasibility study by the Regional Planning Commission the board is authorized to design and regulate the St. Bernard Transportation Corridor roadway. Further, requires the board to consult with DOTD on the final design and with St. Bernard Parish regarding potential impacts on local and state roadways, drainage, flood protection, and other infrastructure.

Proposed law authorizes user fees for the St. Bernard Transportation Corridor roadway, as provided in present law and ensures free passage for individuals legally entitled to it over toll roads and bridges in La. Specifies that the board is granted the same powers as the DOTD regarding toll collection, enforcement, and related activities. Additionally, specifies that the roadway and its property are exempt from taxation, even if a public-private partnership is involved.

Proposed law clarifies that nothing in proposed law limits or restricts the powers of the board of commissioners of the Port of New Orleans. Additionally, specifies it is considered supplemental, granting additional powers beyond those provided by any other general or special law.

(Adds R.S. 34:51-57)