

2025 Regular Session

# ACT No. 217

HOUSE BILL NO. 687 (Substitute for House Bill No. 616 by Representative Wright)

BY REPRESENTATIVES WRIGHT, HUGHES, MENA, AND TAYLOR

1 AN ACT

2 To enact Subpart D of Part I of Chapter 1 of Title 34 of Louisiana Revised Statutes of 1950,  
3 to be comprised of R.S. 34:51 through 57, relative to the St. Bernard Transportation  
4 Corridor roadway; to provide for the purposes of the St. Bernard Transportation  
5 Corridor roadway; to designate powers and duties to the board; to provide for the  
6 establishment, design, construction, and financing of the St. Bernard Transportation  
7 Corridor roadway; to authorize the use of public-private partnerships; to provide  
8 coordination with the Department of Transportation and Development and the Port  
9 of New Orleans; to establish supplemental powers and authority; and to provide for  
10 related matters.

11 Be it enacted by the Legislature of Louisiana:

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

14 SUBPART D. ST. BERNARD TRANSPORTATION CORRIDOR ROADWAY

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

16 A. The purpose of the St. Bernard Transportation Corridor roadway is to  
17 provide a transportation facility to serve as the direct commercial traffic corridor for  
18 the Louisiana International Terminal to the interstate highway system, as an  
19 alternative local traffic route, and as an emergency or evacuation route to benefit  
20 public safety. The Legislature of Louisiana has determined it to be a matter of public  
21 necessity to authorize the board of commissioners of the Port of New Orleans,  
22 referred to as the "board" in this Subpart, to pursue a public-private partnership for

1           the supplementation of public revenue sources for the design, engineering, planning,  
2           construction, operation, and maintenance of this roadway.

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

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

9                   (1) Roadways.

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

12                  (3) Soil erosion control.

13                  (4) Signage.

14                  (5) Right of way acquisition.

15                  (6) Utility relocations.

16           D. The project shall comply with all applicable provisions of state and  
17           federal law, including but not limited to the minimum safety guidelines promulgated  
18           pursuant to R.S. 48:35 and the uniform highway marking system as outlined in R.S.  
19           32:235.

20           §52. Board of commissioners; powers and duties

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

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

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

29                   (3) Accept any appropriation, donation, grant, contribution, or allocation  
30                   from the United States or the state of Louisiana, or any agency or instrumentality of

1        either, or any public utility or private entity or individual, and enter into any  
2        agreement not prohibited by applicable law needed to accept such appropriation,  
3        donation, grant, contribution, or allocation.

4        §53. Public-private partnership

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

8                B. In the solicitation of a public-private partnership, the board shall adhere  
9        to the provisions set forth in R.S. 48:2084 through 2084.15, as applicable to  
10       public-private partnership projects undertaken by the Louisiana Transportation  
11       Authority. Notwithstanding any provision of law to the contrary, the Louisiana  
12       Transportation Authority shall neither be required to grant approval for the  
13       development of the St. Bernard Parish Transportation Corridor roadway project nor  
14       serve as a party to the comprehensive agreement with any private entity. The final  
15       concession agreement with the public-private partner shall be approved by the Joint  
16       Committee on Transportation, Highways and Public Works.

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

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

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

28               B. The board and the department are authorized to make and enter into  
29       agreements concerning any portion of the development, acquisition, construction,

1           ~~operation, maintenance, or improvement of the St. Bernard Transportation Corridor~~  
2           ~~roadway project.~~

3           C. Upon request by the board in connection with the St. Bernard  
4           Transportation Corridor roadway project, and upon terms mutually agreed upon by  
5           the board and the Department of Transportation and Development, the department  
6           is authorized to expend available funds and utilize its engineering and other staff as  
7           deemed necessary and appropriate, in the department's discretion, to conduct traffic  
8           surveys, borings, surveys, preparation of plans and specifications, cost estimates, and  
9           other preliminary engineering and studies.

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

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

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

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

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

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

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

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

11          §57. Supplemental powers and authority

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_