

2015 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 20

BY REPRESENTATIVE DOVE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

TRANSPORTATION: Amends administrative rules relative to traffic impact studies

1 A CONCURRENT RESOLUTION

2 To amend the Department of Transportation and Development rule specified in LAC
3 70:I.1101(B)(3)(introductory paragraph) and (C), which provides for a traffic impact
4 study for new access requests affecting traffic on state highways; and to direct the
5 Office of State Register to print the amendments in the Louisiana Administrative
6 Code.

7 WHEREAS, certain access connection requirements of the Department of
8 Transportation and Development call for unnecessary traffic impact studies; and

9 WHEREAS, a certain development was designed and constructed to allow access to
10 Louisiana Highway 3185; and

11 WHEREAS, such development is comprised of one hundred lots or less per access
12 connection; and

13 WHEREAS, R.S. 49:969 provides that "the legislature, by Concurrent Resolution,
14 may suspend, amend, or repeal any rule or regulation or body of rules or regulations adopted
15 by a state department, agency, board, or commission".

16 THEREFORE, BE IT RESOLVED by the Legislature of Louisiana that LAC
17 70:I.1101(B)(3)(introductory paragraph) and (C) is hereby amended to read as follows:

18 §1101. Traffic Impact

19 * * *

20 B. Applicability

21 * * *

1 3. These developments include, except as provided in Subsection C of this
2 Section, but are not limited to:

3 * * *

4 C. This Section does not apply to the following:

5 1. access to interstate and other controlled-access facilities;

6 2. individuals requesting single-family residential access; or

3. access to local public and private streets for developments with are greater
than 0.25 of a mile from the state system; or

9 4. a new or expanding residential construction development consisting of
10 100 lots or less per access connection.

11 * *

12 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
13 office of the state register.

BE IT FURTHER RESOLVED that the office of the state register is hereby directed to have the amendment to LAC 70:I.1101(B)(3)(introductory paragraph) and (C) printed and incorporated into the Louisiana Administrative Code.

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)]

HCR 20 Original

2015 Regular Session

Dove

Abstract: Amends administrative rules relative to traffic impact studies.

Present LAC 70:I.1101(B)(1) specifies that incumbent with the Dept. of Transportation and Development's obligation to protect the investment of the state highway system the department can require the completion of a traffic impact study.

Present LAC 70:I.1101(B)(3), in pertinent part, provides that a traffic impact study may be performed on new subdivisions.

Present LAC 70:I.1101(C), in pertinent part, provides that traffic impact studies under the following circumstances: on access to interstate and other controlled-access facilities; individuals requesting single-family residential access; or access to local public or private streets for developments which are greater than 0.25 of a mile from the state system.

Proposed LAC 70:I.1101(B)(3)(introductory paragraph) retains present law except limits the applicability of present law.

Proposed LAC 70:I.1101(C) provides that the Dept. of Transportation and Development is proscribed from conducting a traffic impact study on new or expanding residential developments constructing less than 100 lots per access connection.

Directs the office of the state register to print the amendment to LAC 70:I.1101(B)(3)(introductory paragraph) and (C) in the La. Administrative Code.

(Amends LAC 70:I.1101(B)(3)(intro. para.) and (C))