2016 Regular Session

HOUSE BILL NO. 1057 (Substitute for House Bill No. 407 by Representative Havard)

BY REPRESENTATIVE HAVARD

TRANSPORTATION DEPT: Provides for conditions that may be placed on the transfer of roads from the state highway system to a parish or municipality

1	AN ACT
2	To amend and reenact R.S. 48:224.1(A) and to enact R.S. 48:224.1(D), relative to the
3	transfer of roads from the state highway system to governmental subdivisions; to
4	provide for certain conditions of such transfers; to provide authority for the
5	promulgation of administrative rules; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 48:224.1(A) is hereby amended and reenacted and R.S. 48:224.1(D)
8	is hereby enacted to read as follows:
9	§224.1. Transfer and exchange of state and local roads
10	A. Upon receipt of a proper resolution submitted by a parish or municipal
11	governing authority to the secretary indicating its conditions, willingness, and desire
12	to incorporate into the parish or municipal road system a road on the state highway
13	system and to assume the maintenance thereof and with the approval by a majority
14	of the legislative delegation from such parish or municipality, the secretary may at
15	his discretion accept the resolution and remove the road from the state highway
16	system and it shall thereafter form a part of the parish or municipal road system. As
17	a condition of such transfer, the department may provide a thing of value, including
18	but not limited to credits towards future construction projects, payment of funds, or
19	satisfaction of debt owed to the department. Such thing of value shall be equal to the
20	amount of the present value of the forty year projected future maintenance cost of

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	the road to be transferred and may be funded by the department as a capital project			
2	Any such condition of transfer shall be reduced to writing by the parties.			
3	* * *			
4	D. The department may promulgate rules in accordance with the			
5	Administrative Procedure Act to implement the provisions of this Section.			

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)]

HB 1057 Engrossed	2016 Regular Session	Havard
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Abstract: Authorizes the Dept. of Transportation and Development (DOTD) to require that as a condition of the transfer of a state highway to a parish or municipality, that DOTD may provide a thing of value, including but not limited to credits towards future construction projects, payment of funds, or satisfaction of debt owed to DOTD.

<u>Present law</u> authorizes the secretary of DOTD, upon request by a parish or municipality indicating its conditions, willingness, and desire to incorporate into the parish or municipal road system a road on the state highway system and to assume the maintenance thereof and with the approval by a majority of the legislative delegation from such parish or municipality, to transfer the road from the state highway system to the parish or municipal road system.

<u>Proposed law</u> provides that as a condition of such transfer, DOTD may provide a thing of value, including but not limited to credits towards future construction projects, payment of funds, or satisfaction of debt owed to the department.

<u>Proposed law</u> provides that such thing of value shall be equal to the amount of the present value of the 40 year projected future maintenance cost of the road to be transferred and may be funded by the department as a capital project.

<u>Proposed law</u> provides that any such condition of transfer shall be reduced to writing by the parties.

<u>Proposed law</u> authorizes DOTD to promulgate rules in accordance with the Administrative Procedure Act to implement <u>present law</u> and <u>proposed law</u>.

(Amends R.S. 48:224.1(A); Adds R.S. 48:224.1(D))