

2018 Regular Session

SENATE BILL NO. 230

BY SENATOR MORRELL

VIDEO POKER. Provides relative to qualified truck stop facility amenities. (8/1/18)

1 AN ACT

2 To amend and reenact R.S. 27:417(A)(2) and (3) and 418(A), and to enact R.S.  
3 27:417(A)(6)(h), relative to the Video Draw Poker Devices Control Law; to provide  
4 for qualified truck stop facilities; to provide for qualified truck stop amenities; to  
5 provide for leasing or subleasing of certain business operations by qualified truck  
6 stop facilities; to provide for definitions; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 27:417(A)(2) and (3) and 418(A) are hereby amended and reenacted  
9 and R.S. 27:417(A)(6)(h) is hereby enacted to read as follows:

10 §417. Qualified truck stop criteria; amenities

11 A. As used in this Chapter, a qualified truck stop facility shall mean a facility  
12 covering at least five developed contiguous acres which sells fuel, lubricating oil,  
13 and other vehicular merchandise, such as batteries, tires, or vehicle parts for  
14 eighteen-wheel tractor-trailers, and which also meets all of the following criteria:

15 \* \* \*

16 (2) It must have an ~~onsite~~ **on-site** restaurant, except for reason of force  
17 majeure affecting the ability to maintain the on-site restaurant, ~~for a reasonable~~

1 ~~period of time as determined by the division following the interruption of such~~  
2 ~~ability, which for the purposes of qualifying as a A qualified truck stop facility, shall~~  
3 be required to have only the following features:

4 (a) Provides seating for at least fifty patrons, with all seats located within a  
5 centralized area.

6 (b) ~~Is open at least twelve hours a day.~~

7 ~~(c)~~ Offers a varied menu.

8 ~~(d)~~(c) Operates a fully equipped kitchen which includes but is not limited to  
9 a range, or an oven, and refrigerated storage appliances used for the preparation of  
10 foods for on-premises or immediate consumption.

11 ~~(e)~~(d) In Orleans Parish, qualified truck stop facility restaurants shall provide  
12 full table service for sit-down meals.

13 (3) It must have parking areas with each of the following:

14 (a) A stable parking area for at least fifty eighteen-wheel tractor-trailer motor  
15 vehicles, either paved or concrete, to support eighteen-wheel tractor-trailer motor  
16 vehicles and their loads, constructed according to industry specifications, ~~subject to~~  
17 ~~approval by the division~~, except for reason of force majeure affecting the ability to  
18 maintain the stable parking area for a reasonable period of time as determined by the  
19 division following the interruption of such ability. All other parking areas not paved  
20 or concrete must be certified by an authorized company and proof provided that  
21 compaction tests were conducted, ~~subject to approval by the division.~~

22 (b) Parking of sufficient size is allowed for safe ingress and egress.

23 ~~(c) Parking areas for other vehicles around business entrance ways and exits~~  
24 ~~shall not constitute parking areas for eighteen-wheel tractor-trailer motor vehicles.~~

25 \* \* \*

26 (6) It must have at least four of the following amenities, except for reason of  
27 force majeure affecting the ability to maintain the amenities for a reasonable period  
28 of time, as determined by the division following the interruption of such ability:

29 \* \* \*



Present law provides that a qualified truck stop facility must have at least four of seven enumerated amenities.

Proposed law adds "a restaurant" to the list of amenity options and otherwise retains present law.

Present law allows an owner or lessor of a qualified truck stop facility to lease or sublease any restaurant, convenience store, fuel facility, or any other business operation located on the premises of the qualified truck stop facility.

Proposed law provides that an owner or lessor of a qualified truck stop facility may lease or sublease any parking area or portion of the property located on the premises of the qualified truck stop facility and otherwise retains present law.

Effective August 1, 2018.

(Amends R.S. 27:417(A)(2) and (3) and 418(A); adds R.S. 27:417(A)(6)(h))