

2019 Regular Session

HOUSE BILL NO. 201

BY REPRESENTATIVE LEGER

FEES/LICENSES/PERMITS: Increases certain ocean container permit fees and dedicates proceeds of the fee increase into the Construction Subfund of the Transportation Trust Fund

1 AN ACT

2 To amend and reenact R.S. 32:387(J)(2) and to repeal R.S. 32:387(J)(3), relative to special
3 permit fees; to provide with respect to the issuance of special ocean container permit
4 fees; to increase the amount of the permit fee; to provide for the dedication of a
5 certain portion of the fee; to provide for application requirements for the permit; to
6 provide for an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:387(J)(2) is hereby amended and reenacted to read as follows:

9 §387. Special permits

10 * * *

11 J. Notwithstanding other provisions of this Subpart or other provisions of
12 law to the contrary, vehicles hauling prepackaged products in international trade
13 originating from or destined to an intermodal facility, which are containerized in
14 such a manner as to make subdivision thereof impractical, shall be authorized special
15 container permits. For the purposes of this Subsection, the contents of a sealed
16 container being used in international trade in conjunction with a maritime shipment
17 shall be considered indivisible. The special container permits shall be subject to the
18 following provisions:

19 * * *

1 (2)(a) Upon application of the owner or operator of any vehicle transporting
 2 sealed intermodal containers ~~within a fifty-mile radius of a statutorily defined port~~
 3 ~~or harbor district~~, the secretary shall issue a Class II Ocean Container Permit for the
 4 transportation of such containers with the gross vehicle weight limitation not to
 5 exceed ninety-five thousand pounds and the axle weight not to exceed ~~twenty~~
 6 twenty-two thousand pounds per axle ~~provided the rear axle set is in tridem~~. The
 7 applicant shall indicate on the application the vehicle identification number of the
 8 vehicle for which the permit shall be issued. The annual fee for the permit shall be
 9 ~~five hundred~~ seven hundred fifty dollars per vehicle. If the vehicle for which the
 10 permit is issued is no longer usable by the owner or operator, the permit may be
 11 transferred to the replacement vehicle. However, such transfer shall be authorized
 12 only one time during the year for which the permit is in effect.

13 (b) ~~The provisions of this Paragraph limiting the transportation of sealed~~
 14 ~~intermodal containers within a fifty-mile radius of a statutorily defined port or harbor~~
 15 ~~district shall not apply to vehicles transporting such containers within a fifty-mile~~
 16 ~~radius of the Interstate Ten Twin Span Bridge, until such time as the Interstate Ten~~
 17 ~~Twin Span Bridge is opened to owners or operators of any vehicle transporting~~
 18 ~~sealed intermodal containers.~~ After compliance with the requirements of Article VII,
 19 Section 9(B) of the Constitution of Louisiana relative to the Bond Security and
 20 Redemption Fund, two hundred fifty dollars of the fee collected by the secretary for
 21 the issuance of permits pursuant to this Paragraph shall be paid into the state treasury
 22 for deposit into the Construction Subfund of the Transportation Trust Fund pursuant
 23 to the requirements of Article VII, Section 27(B)(2) of the Constitution of Louisiana.

* * *

25 Section 2. R.S. 32:387(J)(3) is hereby repealed in its entirety.

26 Section 3. This Act shall become effective on January 1, 2020.

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 201 Original

2019 Regular Session

Leger

Abstract: Increases the annual permit fee for the transport of ocean containers from \$500 per year to \$750 per year, broadens application requirements for the special permits, and dedicates \$250 of the special permit fee to the Construction Subfund of the Transportation Trust Fund (TTF).

Present law authorizes the issuance of special container permit fees for vehicles hauling pre-packaged products in international trade originating from or destined to an intermodal facility. Present law limits the axle weight on the vehicles to no more than 20,000 lbs. per axle provided the rear axle set is in tridem for intermodal containers that are required to apply for a permit.

Proposed law increases the axle weight from 20,000 lbs. to not to exceed 22,000 lbs. per axle and removes the requirement that the rear axle set is in tridem for intermodal containers.

Present law requires an annual permit fee of \$500 for transportation of Class II Ocean containers and requires the entire permit fee amount be deposited into the TTF.

Proposed law increases the annual permit fee for transportation of Class II Ocean containers from \$500 to \$750 and dedicates \$250 of the permit fee to the Construction Subfund of the TTF.

Present law limits the applications for permits to owners or operators of a vehicle transporting sealed intermodal containers within a 50 mile radius of a port or harbor district.

Proposed law removes this limitation.

Present law exempts vehicles transporting Class II ocean containers and liquid bulk containers within a 50 mile radius of the I-10 Twin Span Bridge until the I-10 Twin Span Bridge is open to vehicles transporting sealed intermodal containers. Proposed law repeals present law.

Present law requires vehicles transporting liquid bulk containers within a 50 mile radius of a port or harbor district to apply for a permit, with the gross vehicle weight limitation of 95,000 lbs. and axle weight of 20,000 lbs. set per axles provided the rear axle set is in tridem. The annual fee of the permit is \$200 per vehicle.

Proposed law repeals present law.

Eff. date Jan. 1, 2020.

(Amends R.S. 32:387(J)(2); Repeals R.S. 32:387(J)(3))