

New law provides that an election shall be held on Nov. 6, 2012, in the parishes of Jefferson, Orleans, and Plaquemines, for the purpose of determining whether tolls shall be renewed and collected on the Crescent City Connection Bridge until 2033. New law provides for the ballot language, which provides for the rate to be collected to be provided by law, and the uses of the toll revenue and authorizes use of such tolls to be funded into revenue bonds for capital projects.

New law provides that if the majority of the qualified electors in the election area voting on the proposition approve the proposition, the tolls shall be collected at the rate of twenty cents per axle for toll tag users and fifty cents per axle for cash users, such collection beginning on Jan. 1, 2013.

New law maintains all prior law manners of toll collection, but allows for tolls to be paid by credit, and makes changes to the enforcement of toll violations.

New law provides for the creation of the "Crescent City Connection Toll Fund", as follows:

- (1) The source of monies in the fund shall be tolls collected for passage over the Crescent City Connection Bridge, and any administrative fees, and any late charges that remain after a deposit of monies not less than \$10 million annually into the Crescent City Connection Capital Projects Fund.
- (2) After compliance with the requirements of Article VII, Section 9(B) of the Constitution of La., relative to the Bond Security and Redemption Fund, and after the deposit of not less than \$10 million annually to the Crescent City Connection Capital Projects Fund, an amount equal to that deposited into the state treasury from the foregoing sources shall be deposited in and credited to the fund. The monies in the fund shall be invested by the treasurer in the same manner as the state general fund, and interest earnings shall be deposited into the fund. All unexpended and unencumbered monies remaining in the fund at the end of each fiscal year shall be transferred by the treasurer to the Crescent City Connection Capital Projects Fund.
- (3) Monies in the fund shall be subject to annual appropriation by the legislature for use by the Dept. of Transportation and Development and the Dept. of Public Safety and Corrections, public safety services.
- (4) Monies appropriated from the fund to the Dept. of Public Safety and Corrections, public safety services, shall not exceed two million dollars annually and shall be allocated and disbursed solely for police functions on the Crescent City Connection Bridge and along US 90Z between Interstate 10 and US 90.
- (5) Monies appropriated from the fund to the Dept. of Transportation and Development (DOTD) shall be allocated and disbursed solely for the operations, maintenance, landscaping, grass cutting, trash pick up, functional and ornamental lighting, motorist assistance patrols, inspection, and capital projects on the bridges, approaches, and roadways along US 90Z from Interstate 10 to US 90.

New law prohibits Transportation Trust Fund - regular monies from being expended to provide special, dedicated police functions on the Crescent City Connection.

New law creates the Crescent City Connection Capital Projects Fund as a special fund in the state treasury. Provides that the source of monies in the fund shall be not less than \$10 million annually of tolls and all unexpended and unencumbered monies in the Crescent City Connection Toll Fund. Monies in the fund are subject to legislative appropriation to pay bond debt service, to fund pay-as-you-go projects, or to provide federal matching funds.

New law provides that bonds may be issued with the monies available to pay for the bonds not less than \$10 million dollars annually in toll revenues collected in each fiscal year, other funds collected pursuant to new law, and any other fees, rates, rentals, charges, grants, or other

receipts or income derived by or in connection with an undertaking, facility, projects, or any combination thereof.

New law provides that bonds issued under new law shall be revenue bonds and shall not be considered as "net tax supported debt".

New law provides that the bonds shall be issued for capital projects for the Crescent City Connection, with bond proceeds used for capital projects related to the Crescent City Connection Bridge along US 90Z from Interstate 10 to US 90, specifically, repainting the downriver span of the Crescent City Connection Bridge and improving ingress and egress capacity at Annunciation Street, Barataria Boulevard, Tchoupitoulas Street, the MacArthur Driver Interchange (east bound Peters Road on and off ramps) and the Harvey Tunnel Rehabilitation.

New law provides that the New Orleans Regional Planning Commission shall serve as an advisory body for the collection of tolls. New law provides that the commission shall have access to the accounting of all expenditures, revenues, project priorities, status of ongoing projects, and any other matters which relate to the Crescent City Connection, its operations, and related projects.

New law provides that if any funds are available to finance projects that are not listed in new law, the New Orleans Regional Planning Commission shall prioritize those projects.

New law provides for the authorization to privatize the operations and maintenance of and toll collections on the Crescent City Connection Bridge as follows:

- (1) Authorizes the department to privatize, let franchises, or enter into contracts for the collection of tolls, operations, and maintenance, and all associated activities, on the Crescent City Connection Bridge.
- (2) Requires the department to hold at least one public meeting in the New Orleans metropolitan area prior to issuing any solicitation.
- (3) Adequate public notice of any requests for proposals shall be given by advertising in the official journal of the state and the official journals of the parishes of Orleans, Jefferson, and Plaquemines, at least once. In addition, written notice may be provided to persons, firms, or corporations who are known to be in a position to furnish such service requested.
- (4) The department shall determine which proposal for a desired service is the most advantageous to the state which meets all the qualitative restrictions established in any requests for proposal.
- (5) Requires the department to give updates on its efforts to privatize the operations and maintenance of the Crescent City Connection Bridge upon request of the Senate Committee on Transportation, Highways, and Public Works or the House Committee on Transportation, Highways and Public Works, or both.
- (6) Provides that the new law shall be null, void, and of no effect on July 1, 2014, should the department have not awarded a contract or contracts for Crescent City Connection Bridge toll collection, operation, and maintenance.

New law provides that DOTD shall utilize industry recognized best practices that are not in conflict with applicable laws in executing procurement contracts, engineering contracts, and other contracts entered into which affect the Crescent City Connection Bridge.

New law provides that should the Crescent City Connection ferries not be privatized, then the department shall use best practices and permits DOTD to set a tourist rate or non-commuter rate under the direction of the New Orleans Regional Planning Commission.

New law provides that all fares collected pursuant to new law shall be used solely for ferry operations formerly operated by the Crescent City Connection Division of DOTD.

New law provides for creation of the Algiers-Canal Street Ferry Fund and dedicates registration and licensure fees and taxes on trucks and trailers pursuant to R.S. 47:462 which are collected in Orleans Parish, subject to appropriation, to DOTD for operation of the Algiers-Canal Street Ferry.

New law provides that the legislative auditor perform an audit of DOTD's operation of the Crescent City Connection Bridge and provide a written report to the Senate and House committees on transportation, highways and public works by March 1, 2014.

New law requires the legislative fiscal office to issue an opinion as to whether DOTD's procurement policies and systems as they relate to the Crescent City Connection Bridge have resulted in the most cost-effective expenditure of public funds by March 1, 2014.

Sections 1, 6, and 7 are effective upon signature of governor (June 15, 2012).

Sections 2 and 3 are effective Jan. 1, 2013, should the election provided for in Section 1 of this Act result in the renewal and collection of tolls on the Crescent City Connection Bridge.

Sections 4 and 5 are effective August 1, 2012.

(Amends R.S. 47:481 and 48:196(A)(intro. para.); Adds R.S. 47:820.5.8 and 7011-7018 and R.S. 48:954 and 954.1)