LEGISLATIVE FISCAL OFFICE
Fiscal Note

ACT 723

Fiscal Note On: **SB 79** SLS 12RS 22

Bill Text Version: **ENROLLED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: June 22, 2012 6:40 AM

Author: MORRISH

Dept./Agy.: Department of Public Safety

Subject: Authorizes certain concrete trucks to exceed weight limits

Analyst: Alan M. Boxberger

WEIGHTS/MEASURES EN DECREASE SD RV See Note

Authorizes ready-mixed concrete trucks to exceed maximum allowable gross vehicle weight under certain conditions. (8/1/12)

Present law prohibits assessment of a penalty to any truck hauling concrete or construction aggregates for weight which exceeds the maximum allowable axle weights, if such truck does not also exceed the maximum allowable gross weight as provided in R.S. 32:386 and such truck is not operating on the interstate system. Proposed law adds a prohibition of a penalty on any such truck which exceeds its maximum allowable gross weight if the truck's total excess weight is 10% or less of the maximum allowable gross weight, if the truck is not operating on the interstate system, if the truck's most recent maintenance to chip out buildup in the mixer occurred within the previous 90 days, and if, before operating on a state highway the truck's owner filed a surety bond in the principal amount set by the department not to exceed $15,000 for each such truck. Proposed law provides that if the total excess weight is greater than 10% of the maximum allowable gross weight, the assessed penalty shall be calculated only on the excess weight which is above the 10% allowance for product buildup. Proposed law provides for definition of a ready-mixed concrete truck. Effective from 8/1/12 through 7/31/14.

EXPENDITURES	2012-13	2013-14	2014-15	2015-16	2016-17	5 -YEAR TOTAL
State Gen. Fd.	$0	$0	$0	$0	$0	**$0**
Agy. Self-Gen.	$0	$0	$0	$0	$0	**$0**
Ded./Other	SEE BELOW	SEE BELOW	$0	$0	$0	**$0**
Federal Funds	$0	$0	$0	$0	$0	**$0**
Local Funds	$0	$0	$0	$0	$0	**$0**
Annual Total			**$0**	**$0**	**$0**	**$0**

REVENUES	2012-13	2013-14	2014-15	2015-16	2016-17	5 -YEAR TOTAL
State Gen. Fd.	$0	$0	$0	$0	$0	**$0**
Agy. Self-Gen.	$0	$0	$0	$0	$0	**$0**
Ded./Other	DECREASE	DECREASE	$0	$0	$0	**$0**
Federal Funds	$0	$0	$0	$0	$0	**$0**
Local Funds	$0	$0	$0	$0	$0	**$0**
Annual Total			**$0**	**$0**	**$0**	**$0**

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on governmental operating expenditures as a result of this measure.

NOTE: Heavier loads increase the deterioration of bridges and highway structures and substructures. Overweight loads carried on short-wheel bases such as concrete trucks increase the impact on deterioration beyond that caused by long-wheel bases because the load is applied in a more concentrated focal area as it travels along a roadway surface. To the degree that ready-mixed concrete trucks increase load weights as a result of the proposed law, the maintenance schedule required to keep those roads within allowable safety parameters will increase and the eventual replacement of the road and substructure will realize an accelerated timetable.

The proposed law is effective from August 1, 2012, through July 31, 2014.

REVENUE EXPLANATION

The proposed law may result in an indeterminable decrease in the amount of overweight fines imposed on concrete vendors and transporters, as the allowance for additional weight could potentially reduce the violation tickets issued and the revenues collected. The Department of Public Safety projects a reduction of revenues as a result of the proposed law, but is unable to project the amount of the reduction. The number of trucks that fall into the category exempted by the legislation is unknown. Overweight fines are deposited into the Transportation Trust Fund.

To the degree that concrete vendors and truck operators that regularly exceed the existing weight limit under existing law continue to exceed the weight limit under proposed law, the potential decline in revenue could be reduced.

The proposed law is effective from August 1, 2012, through July 31, 2014.

Senate	Dual Referral Rules	House
☐ 13.5.1 >= $100,000 Annual Fiscal Cost {S&H}		☐ 6.8(F)1 >= $500,000 Annual Fiscal Cost {S}
☐ 13.5.2 >= $500,000 Annual Tax or Fee Change {S&H}		☐ 6.8(G) >= $500,000 Tax or Fee Increase or a Net Fee Decrease {S}

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