HLS 13RS-765 ORIGINAL

Regular Session, 2013

HOUSE BILL NO. 491

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BY REPRESENTATIVE PYLANT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

TRANSPORTATION: Permits the secretary of the Department of Transportation and Development to issue permits to vehicles hauling hay during times of disaster

AN ACT

| 2 | To amend and reenact R.S. 32:387(C)(2) and to enact R.S. 32:387(B)(6), relative to special |
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| 3 | permits to overwidth vehicles; to provide special permits to vehicles transporting hay |
| 4 | due to a disaster or emergency; to provide an effective date; and to provide for |
| 5 | related matters. |
| 6 | Be it enacted by the Legislature of Louisiana: |
| 7 | Section 1. R.S. 32:387(C)(2) is hereby amended and reenacted and R.S. |
| 8 | 32:387(B)(6) is hereby enacted to read as follows: |
| 9 | §387. Special permits |
| 10 | * * * |
| 11 | B. |
| 12 | * * * |
| 13 | (6) The secretary may issue special permits to those vehicles transporting |
| 14 | hay due to a disaster or emergency, including but not limited to severe and extended |
| 15 | drought conditions. The secretary may promulgate the rules and regulations in |
| 16 | accordance with the Administrative Procedure Act as may be necessary to implement |
| 17 | the provisions of this paragraph. |
| 18 | C. |
| 19 | * * * |
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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

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(2)(a) In addition, subject to the provisions of Paragraphs (3), (4), and (5) (5), and (6) of Subsection B of this Section, the secretary may issue special permits he finds essential and in the best interest of the state by reason of an emergency situation, unusual circumstances, natural catastrophes, or disasters affecting the transportation on the highways of the state of farm products in their natural state or forest products in their natural state. The weight limitations of any special farm or forest product permit so issued shall not exceed those set forth in Subsections B, C, D, E, F, and G of Section 386 of this Chapter; the gross weight of any combination of vehicles shall not exceed one hundred thousand pounds; and the length of any vehicle or combination of vehicles shall not exceed seventy-five feet. Each such special farm or forest product permit shall be issued for designated routes.

(b) The secretary may establish and collect reasonable fees for each special farm or forest product permit issued. Permit fees shall be uniform for each classification of vehicle and/or and the purpose for which issued.

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Section 2. The Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of time for bills to become law without signature of the governor, as provided in Article III, Section 18, of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

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)]

Pylant HB No. 491

Abstract: Provides the issuance of a special permit for hay hauling under certain circumstances.

<u>Present law</u> authorizes the secretary to issue a special permit for the operation of vehicles or combination thereof having dimensions or weights in excess of the limits imposed by <u>present law</u> if the shipment is not readily divided, broken, dismantled, or otherwise prohibited by law.

<u>Proposed law</u> provides for the issuance of a special permit to those vehicles transporting hay due to a disaster or emergency, including but not limited to severe and extended drought conditions. The secretary may promulgate such rules and regulations, in accordance with administrative procedures, as may be necessary to implement <u>proposed law</u>.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 32:387(C)(2); Adds R.S. 32:387(B)(6))