

Regular Session, 2014

SENATE BILL NO. 500

BY SENATOR HEITMEIER

ROADS/HIGHWAYS. Provides for refund of certain collections in the amnesty program for the Crescent City Connection Bridge. (gov sig)

1 AN ACT

2 To enact R.S. 47:7019.2, relative to collection of tolls and fees; to provide for the refund of
3 monies paid by certain persons for a toll violation during the amnesty period to the
4 Department of Transportation and Development; to provide with respect to such
5 refunds; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 47:7019.2 is hereby enacted to read as follows:

8 **§7019.2. Collection of tolls, fees, and charges on Crescent City Connection**

9 **Bridge; amnesty program; refunds**

10 **A. Any person, who availed themselves of the toll violation amnesty**
11 **program as provided in R.S. 47:7019.1 and made payment for a toll violation**
12 **to the Department of Transportation and Development during the amnesty**
13 **period shall be entitled to a refund of such monies paid if he applies to the state**
14 **treasurer for the refund within the refund time period provided for in this**
15 **Section and if he satisfies one of the following circumstances:**

16 **(1) Such person possessed a valid toll tag and payment account, but due**
17 **to no fault of his own, his toll payment account was not accessed for payment.**

1 **(2) Such person did not possess a valid toll tag and made payment for**
2 **less than five toll violations.**

3 **B. (1) The state treasurer shall establish a program to refund monies**
4 **collected during the amnesty period for a toll violation from any person who**
5 **satisfies one of the circumstances provided in Subsection A of this Section and**
6 **who contacts the state treasurer for a refund and provides the state treasurer**
7 **with sufficient proof of the payment made that satisfied the circumstances of**
8 **Subsection A of this Section.**

9 **(2)(a) The state treasurer shall begin conducting the program no later**
10 **than October 1, 2014, and shall terminate the program on December 31, 2015.**

11 **(b) The state treasurer shall publicize the program in order to maximize**
12 **the public awareness of and participation in the program.**

13 **(c) After December 31, 2015, the state treasurer shall have no obligation**
14 **to refund monies collected during the amnesty period for a toll violation which**
15 **satisfies the circumstances of Subsection A of this Section.**

16 **C. Notwithstanding the provisions of R.S. 48:1161.2(D)(c), any refund**
17 **payment shall be made from money appropriated to the state treasurer from**
18 **the Crescent City Transition Fund prior to any appropriation of monies in the**
19 **Crescent City Transition Fund to the department for use by the New Orleans**
20 **Regional Planning Commission.**

21 **D. The provisions of Subsections A through C of this Section shall**
22 **terminate on January 1, 2016.**

23 **E. Notwithstanding the provisions of R.S. 47:7019.1(C)(6)(b), or any**
24 **other law to the contrary, no action shall be taken to collect a toll violation from**
25 **any person who possessed a valid toll tag and payment account, but due to no**
26 **fault of his own, the toll payment account was not accessed for payment.**

27 **F. Notwithstanding the provisions of any other law to the contrary, the**
28 **Department of Transportation and Development, the attorney general, or the**
29 **Department of Revenue, office of debt recovery, as applicable, shall provide the**

1 state treasurer with the records in each department's possession of all payments
 2 made during the amnesty period for toll violations which satisfied the
 3 circumstances of Subsection A of this Section.

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

The original instrument was prepared by Sharon F. Lyles. The following digest, which does not constitute a part of the legislative instrument, was prepared by Martha Hess.

DIGEST

Heitmeier (SB 500)

Proposed law provides that any person who availed himself of the toll violation amnesty program as provided in R.S. 47:7019.1, made payment for a toll violation to the Dept. of Transportation and Development (DOTD) during the amnesty period, who contacts the state treasurer for a refund, and provides the state treasurer with sufficient proof of the payment of the toll violation, is entitled to a refund of such monies paid if he satisfies one of the following:

- (1) Such person possessed a valid toll tag and payment account, but due to no fault of his own, his toll payment account was not accessed for payment.
- (2) Such person did not possess a valid toll tag and made payment for fewer than five toll violations.

Proposed law requires the state treasurer to establish a refund program.

Proposed law requires the state treasurer to begin the program no later than October 1, 2014, and terminate the program on December 31, 2015. Requires the state treasurer to publicize the program to maximize the public awareness of and participation in the program. Provides the state treasurer has no obligation to refund monies collected during the amnesty period for a toll violation after December 31, 2015.

Proposed law provides refunds paid under the program established pursuant to proposed law shall be made from money appropriated to the state treasurer prior to any appropriation of monies designated to fund the refunds to the Department of Transportation and Development for use by the New Orleans Regional Planning Commission.

Proposed law provides that the refund program terminates on January 1, 2016.

Proposed law forgives the toll violations of any person who possessed a valid toll tag and payment account, but due to no fault of his own, the toll payment account was not accessed for payment.

Proposed law requires DOTD, attorney general, or the office of debt recovery, as applicable, to provide the state treasurer with the records in each department's possession of all toll

violation payments made during the amnesty period.

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

(Adds R.S. 47:7019.2)

Summary of Amendments by Senate

Committee Amendments Proposed by Senate Committee on Revenue and Fiscal Affairs to the original bill

1. Moves responsibility for establishing, conducting, and publicizing the program from the DOTD to the New Orleans Regional Planning Commission.
2. Gives refunds paid under the program established pursuant to proposed law priority over any other use of the monies designated to fund the refunds.
3. Forgives the toll violations of any person who possessed a valid toll tag and payment account, but due to no fault of his own, the toll payment account was not accessed for payment.

Committee Amendments Proposed by Senate Committee on Finance to the engrossed bill

1. Moves responsibility for establishing, conducting, and publicizing the program from the New Orleans Regional Planning Commission to the state treasurer.
2. Provides that person who is claiming refund must contact the state treasurer for a refund and provide the state treasurer with sufficient proof that the payment sought to be refunded was made.
3. Provides refunds shall be paid from money appropriated to the state treasurer from dedicated fund prior to appropriation of monies in dedicated fund to DOTD for use by the New Orleans Regional Planning Commission.
4. Technical amendment to correct provisions regarding termination of refund program.
5. Requires DOTD, attorney general, or the office of debt recovery, as applicable, to provide the state treasurer with the records in each department's possession of all toll violation payments made during the amnesty period.