

HOUSE COMMITTEE AMENDMENTS

2016 Regular Session

Substitute for Original House Bill No. 407 by Representative Havard as proposed by the House Committee on Transportation, Highways, and Public Works

This document reflects the content of a substitute bill but is not in a bill form; page numbers in this document DO NOT correspond to page numbers in the substitute bill itself.

To amend and reenact R.S. 48:224.1(A) and to enact R.S. 48:224.1(D), relative to the transfer of roads from the state highway system to governmental subdivisions; to provide for certain conditions of such transfers; to provide authority for the promulgation of administrative rules; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 48:224.1(A) is hereby amended and reenacted and R.S. 48:224.1(D) is hereby enacted to read as follows:

§224.1. Transfer and exchange of state and local roads

A. Upon receipt of a proper resolution submitted by a parish or municipal governing authority to the secretary indicating its conditions, willingness, and desire to incorporate into the parish or municipal road system a road on the state highway system and to assume the maintenance thereof and with the approval by a majority of the legislative delegation from such parish or municipality, the secretary may at his discretion accept the resolution and remove the road from the state highway system and it shall thereafter form a part of the parish or municipal road system. As a condition of such transfer, the department may provide a thing of value, including but not limited to, credits towards future construction projects, payment of funds, or satisfaction of debt owed to the department. Such thing of value shall be equal to the amount of the present value of the forty year projected future maintenance cost of the road to be transferred and may be funded by the department as a capital project. Any such condition of transfer shall be reduced to writing by the parties.

* * *

D. The department may promulgate rules in accordance with the Administrative Procedure Act to implement the provisions of this Section.

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 407 Original

2016 Regular Session

Abstract: Authorizes the Dept. of Transportation and Development (DOTD) to require that as a condition of the transfer of a state highway to a parish or municipality, that DOTD may provide a thing of value, including but not limited to, credits towards future construction projects, payment of funds, or satisfaction of debt owed to DOTD.

Present law authorizes the secretary of DOTD, upon request by a parish or municipality indicating its conditions, willingness, and desire to incorporate into the parish or municipal road system a road on the state highway system and to assume the maintenance thereof and with the approval by a majority of the legislative delegation from such parish or municipality, to transfer the road from the state highway system to the parish or municipal road system.

Proposed law provides that as a condition of such transfer, DOTD may provide a thing of value, including but not limited to, credits towards future construction projects, payment of funds, or satisfaction of debt owed to the department.

Proposed law provides that such thing of value shall be equal to the amount of the present value of the forty year projected future maintenance cost of the road to be transferred and may be funded by the department as a capital project.

Proposed law provides that any such condition of transfer shall be reduced to writing by the parties.

Proposed law authorizes DOTD to promulgate rules in accordance with the Administrative Procedure Act to implement present law and proposed law.

(Amends R.S. 48:224.1(A); Adds R.S. 48:224.1(D))