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## DIGEST

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HB 567 Reengrossed

2019 Regular Session

Larvadain

**Abstract:** Expands the authorities that may collect tolls to private entities.

Present law authorizes the La. Transportation Authority (LTA) and the Dept. of Transportation and Development (DOTD) to impose and collect tolls, and exercise as much police power as necessary to maintain the peace and accomplish the orderly handling of authority.

Proposed law modifies present law by extending this authority to all state-owned toll facilities and allows DOTD and LTA to delegate this authority to any private entity acting on their behalf in the operation of a toll facility.

Present law defines "pay" as paying a toll by cash, by permitting a charge against a valid toll-tag account with the LTA, or by another means of payment approved by the LTA.

Proposed law modifies present law by adding DOTD as an entity within which a person may have a toll-tag account or approve another means of paying a toll.

Present law defines "toll" or "tolls" as tolls, fees, or charges as imposed, revised, and adjusted from time to time by the LTA.

Proposed law modifies present law by adding DOTD or a private entity acting on its behalf as an entity that may impose, revise, or adjust tolls, fees, or charges from time to time.

Present law defines "toll tag" as an electronic device that the LTA issues for use with the ETC on the LA 1 Project.

Proposed law modifies present law by adding DOTD as an entity that can issue a toll tag. Proposed law further modifies present law by expanding the usage of toll tags to any state-owned toll facility.

Present law defines a "valid toll-tag account" as an existing toll-tag account with the LTA with a balance of not less than fifty cents.

Proposed law modifies present law by adding DOTD as an entity within which a person can have a valid toll-tag account.

Present law prohibits motor vehicles or trailers being towed from being driven or towed through the toll collection facility of the LA 1 Project without payment of the proper toll.

Proposed law modifies present law by extending the prohibition to any state-owned toll and removes the LA 1 Project from present law.

Present law provides that in the event of nonpayment of a proper toll, the registered owner of such vehicle or trailer is liable to make prompt payment to the LTA of the proper toll and in certain circumstances, an administrative fee of \$25 dollars to recover the cost of collecting the toll.

Proposed law modifies present law by adding DOTD as an entity to which prompt payment of the proper toll may be made.

Proposed law further provides that in the event that toll enforcement on future state-owned toll facilities is conducted by a private entity, the violator will be subject to the administrative fee assessed by the private entity.

Present law provides procedures for the collection of tolls, administrative fees, and late charges under present law by the LTA.

Proposed law modifies present law to allow the procedures in present law to apply to the entity operating the toll, whether it is the LTA, DOTD, or a private entity.

Present law provides the LTA with options for administering late charges or sanctions, or both, for persons who fail to comply with the requirements of present law.

Proposed law modifies present law by expanding this authority to the operating entity of any state-owned toll facility.

Present law provides that a photograph, microphotograph, videotape, or other recorded image produced by a photo-monitoring device is admissible in a proceeding to collect a toll or other charge of the LTA, to collect criminal penalties imposed, or to impose criminal liability for failure to pay the toll or charge.

Proposed law modifies present law expanding this authority to the operating entity of any state-owned toll facility.

(Amends R.S. 47:820.5.4(Section heading), (A), (B)(4), (7) - (9), (C), (F), (G)(1)(intro. para.), (a)(intro. para.), (ii), (b), (2), (H)(1) - (3), (I), and (J); Adds R.S. 47:820.5.4(B)(10) and (11) and (G)(3))

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Make technical changes.

2. Provide definitions for "operating entity" and "private entity".
3. Require the Dept. of Transportation and Development (DOTD), in consultation with a private entity, through comprehensive agreement, to set forth policies and procedures for the collection of tolls, administrative fees, and late charges authorized by present law for future state-owned toll facilities and makes the polices and procedures applicable to DOTD or a private entity.
4. Require DOTD, in consultation with a private entity, to set forth policies and procedures within the comprehensive agreement for a registered owner that fails to comply with the requirements of present law, such as late charges or sanctions, or both against the registered owner.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.