

Regular Session, 2012

HOUSE CONCURRENT RESOLUTION NO. 12

BY REPRESENTATIVE JIM MORRIS

TRANSPORTATION: Amends administrative rules relative to access connection requirements

1 A CONCURRENT RESOLUTION

2 To amend the Department of Transportation and Development rules LAC 70:I.1521(B)(5)  
3 and 1531(B) and to repeal LAC 70:I.1533(E), which provides for access connection  
4 requirements and access connection design requirements, and to direct the office of  
5 the state register to print the amendments in the Louisiana Administrative Code.

6 WHEREAS, certain access connection requirements of the Department of  
7 Transportation and Development call for unnecessary traffic impact studies; and

8 WHEREAS, the placement of hard-surface driveways on single-family residential  
9 access connections is an overwhelming burden on these families; and

10 WHEREAS, R.S. 49:969 provides that "the legislature, by concurrent resolution,  
11 may suspend, amend, or repeal any rule or regulation or body of rules or regulations adopted  
12 by a state department, agency, board, or commission".

13 THEREFORE, BE IT RESOLVED by the Legislature of Louisiana that LAC  
14 70:I.1521(B)(5) and 1531(B) are hereby amended to read as follows:

15 §1521. Access Connection Requirements

16 \* \* \*

17 B.

18 \* \* \*

19 5. Requests for access connections in excess of one access connection or for  
20 an access connection on a state route where non-state route access exists must be

1 reviewed and approved by the district engineer administrator. Such requests shall be  
 2 accompanied by a traffic impact study. This study shall comply with the guidelines  
 3 and policies set forth by the DOTD for such studies. In order to consider an  
 4 additional access connection or an access connection on a state route where non-state  
 5 route access exists, the study shall show that the lack of the requested access  
 6 connections causes unreasonable negative impacts to the traffic flow in the vicinity  
 7 of the property and shall demonstrate that an additional access connection will  
 8 contribute to the overall improvement of the safety and efficiency of the adjacent  
 9 roadways and of the transportation system. However, the district engineer  
 10 administrator may evaluate a right-in/right-out as a secondary driveway and waive  
 11 the requirement of a traffic impact study.

\* \* \*

13 §1531.Design Requirements

\* \* \*

15 B. All ~~single-family residential~~ and traffic generator access connections shall  
 16 be constructed with permanent hard surface type materials (i.e. asphalt or concrete)  
 17 as shown on the standard plans for access connections. Aggregate access connections  
 18 shall not be permitted within the right-of-way for these types of connections. The  
 19 hard surface type materials shall extend ~~the following distances from the edge of~~  
 20 pavement: 25 feet from the edge of pavement.

21 ~~1. single-family residential access connections: 10 feet from the edge of~~  
 22 ~~pavement;~~

23 ~~2. traffic generator access connections: 25 feet from the edge of pavement.~~

\* \* \*

25 BE IT FURTHER RESOLVED that LAC 70:I.1533(E) is hereby repealed in its  
 26 entirety.

27 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the  
 28 office of the state register.

1 BE IT FURTHER RESOLVED that the office of the state register is hereby directed  
2 to have the amendments to LAC 70:I.1521(B)(5) and 1531(B) printed and incorporated into  
3 the Louisiana Administrative Code.

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## 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)]

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Jim Morris

HCR No. 12

Amends LAC 70:I.1521(B)(5) and 1531(B) of the rules and regulations promulgated by the Dept. of Transportation and Development, relative to access connection requirements and access connection design requirements. Provides that the district engineer administrator may evaluate a right-in/right-out as a secondary driveway and waive the requirement of a traffic impact study. Further eliminates the requirement that single-family residences have a hard-surfaced driveway.

Repeals LAC 70:I.1533(E), which requires the services of an independent DOTD-approved inspector be obtained to inspect the construction of all DOTD-required improvements in the DOTD right-of-way.

Directs the office of the state register to print the amendment to LAC 70:I.1521(B)(5) and 1531(B) in the La. Administrative Code.

(Amends LAC 70:I.1521(B)(5) and 1531(B); Repeals LAC 70:I.1533(E))