

## **House Committee on Transportation, Highways and Public Works**

Minutes of Meeting  
2016 Regular Session  
March 29, 2016

### **I. CALL TO ORDER**

Representative Kenneth E. Havard, chairman of the House Committee on Transportation, Highways and Public Works, called the meeting to order at 9:00 a.m. in Room 3, in the State Capitol in Baton Rouge, Louisiana. The secretary called the roll.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Kenneth E. Havard, chairman  
Representative Bryan Adams  
Representative Terry R. Brown  
Representative Barbara W. Carpenter  
Representative Stephen F. Carter  
Representative A B Franklin  
Representative Jerry Gisclair  
Representative John E. Guinn  
Representative Jeffrey "Jeff" Hall  
Representative Dorothy Sue Hill  
Representative Frank A. Howard  
Representative Terry C. Landry, Sr., vice chairman  
Representative C. Denise Marcelle  
Representative Jack Montoucet  
Representative Barbara M. Norton  
Representative Vincent J. Pierre  
Representative J. Rogers Pope  
Representative Malinda B. White

#### **MEMBERS ABSENT:**

Representative H. Bernard LeBas

#### **STAFF MEMBERS PRESENT:**

Kimberly Callaway, attorney  
Ashleigh Clare-Kearney, attorney

Angelique R. Mozee, secretary

**ADDITIONAL ATTENDEES PRESENT:**

Vivian Hurst, sergeant at arms

**III. DISCUSSION OF LEGISLATION**

**House Bill No. 831 by Representative Montoucet**

Representative Havard announced that action on House Bill No. 831, which requires public tag agents to submit to image supporting documents and provide for retention, is being voluntarily deferred.

**House Bill No. 433 by Representative Hazel**

Representative Hazel presented House Bill No. 433, which repeals a prohibition against the Department of Public Safety and Corrections issuing an economic hardship license when a person's license is suspended due to tax issues.

Staci Hoyt, Office of Motor Vehicles, P.O. Box 64886, Baton Rouge, Louisiana 70896, (225) 925-4656, spoke for information only on House Bill No. 433.

Representative Norton offered a motion to report House Bill No. 433 favorably. Representative Norton withdrew the motion. No vote was taken.

Representative Norton offered a motion to voluntarily defer action on House Bill No. 433. Without objection, action on House Bill No. 433 was voluntarily deferred by a vote of 16 yeas and 0 nays. Representatives Havard, Adams, Terry Brown, Carpenter, Steve Carter, Franklin, Gisclair, Hall, Hill, Howard, Terry Landry, Marcelle, Norton, Pierre, Pope, and White voted yea.

*Representative Terry Landry in the chair.*

**House Bill No. 248 by Representative Carmody**

On behalf of Representative Carmody, Representative Havard presented House Bill No. 248, which provides relative to a certain special prestige license plate for motorcycles.

Staci Hoyt, Office of Motor Vehicles, P.O. Box 64886, Baton Rouge, Louisiana 70896, (225) 925-4656, spoke for information only on House Bill No. 248.

Representative Terry Brown offered a motion to report House Bill No. 248 favorably. Without objection, House Bill No. 248 was reported favorably by a vote of 17 yeas and 0 nays. Representatives Havard, Adams, Terry Brown, Carpenter, Steve Carter, Franklin, Gisclair, Guinn, Hall, Hill, Howard, Terry Landry, Marcelle, Norton, Pierre, Pope, and White voted yea.

*Representative Havard in the chair.*

### **House Bill No. 109 by Representative Terry Brown**

Representative Terry Brown presented House Bill No. 109, which provides for issuance of multiple hang tags for persons with mobility impairments.

Staci Hoyt, Office of Motor Vehicles, P.O. Box 64886, Baton Rouge, Louisiana 70896, (225) 925-4656, spoke for information only on House Bill No. 109.

Representative Marcelle offered amendments to:

1. Authorize the commissioner of motor vehicles to issue multiple hang tags to any person with a mobility impairment, instead of just to a person with a mobility impairment whose parents are divorced and residing in separate households and who is dependent on both parents.
2. Make technical changes.

Representative Marcelle offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 16 yeas and 0 nays. Representatives Havard, Adams, Terry Brown, Carpenter, Steve Carter, Franklin, Guinn, Hall, Hill, Howard, Terry Landry, Marcelle, Norton, Pierre, Pope, and White voted yea.

Representative Marcelle offered a motion to report House Bill No. 109 with amendments. Without objection, House Bill No. 109 was reported with amendments by a vote of 16 yeas and 0 nays. Representatives Havard, Adams, Terry Brown, Carpenter, Steve Carter, Franklin, Guinn, Hall, Hill, Howard, Terry Landry, Marcelle, Norton, Pierre, Pope, and White voted yea.

### **House Bill No. 128 by Representative Terry Brown**

Representative Terry Brown presented House Bill No. 128, which adds requirements to qualify for a commissioned police officer special prestige license plate.

Staci Hoyt, Office of Motor Vehicles, P.O. Box 64886, Baton Rouge, Louisiana 70896, (225) 925-4656, spoke for information only on House Bill No. 128.

Representative Adams offered an amendment to add that upon resignation or termination of a commissioned police officer who has been issued a special prestige license plate pursuant to present law, the chief official of the employing law enforcement agency from which the person resigned from or was terminated by shall provide the secretary a written statement on his letterhead notifying the secretary of such termination or resignation.

Representative Adams offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 15 yeas and 0 nays. Representatives Havard, Adams, Terry Brown, Steve Carter, Franklin, Guinn, Hall, Hill, Howard, Terry Landry, Marcelle, Norton, Pierre, Pope, and White voted yea.

Representative Franklin offered a motion to voluntarily defer action on House Bill No. 128, to which Representative Havard objected. The secretary called the roll, and the motion failed by a vote of 3 yeas and 13 nays. Representatives Franklin, Guinn, and Norton voted yea. Representatives Havard, Adams, Terry Brown, Carpenter, Steve Carter, Hall, Hill, Howard, Terry Landry, Marcelle, Pierre, Pope, and White voted nay.

Representative Hill offered a motion to report House Bill No. 128 with amendments, to which Representative Franklin objected. The secretary called the roll, and House Bill No. 128 was reported with amendments by a vote of 14 yeas and 3 nays. Representatives Havard, Adams, Terry Brown, Carpenter, Steve Carter, Hall, Hill, Howard, Terry Landry, Marcelle, Montoucet, Pierre, Pope, and White voted yea. Representatives Franklin, Guinn, and Norton voted nay.

#### **House Bill No. 644 by Representative Hollis**

Representative Hollis presented House Bill No. 644, which requires nonrenewal of driving school contracts to be based upon same factors for termination of driving school contracts.

Duane Cowart, Driving School Association of Louisiana, 10935 Perkins Road, Baton Rouge, Louisiana 70810, (225) 405-4088, spoke in support of House Bill No. 644.

Staci Hoyt, Office of Motor Vehicles, P.O. Box 64886, Baton Rouge, Louisiana 70896, (225) 925-4656, spoke for information only on House Bill No. 644.

Gwen Dunware, Office of Motor Vehicles, 7979 Independence Blvd., Baton Rouge, Louisiana 70896, (225) 925-6747, spoke for information only on House Bill No. 644.

Stephanie Barnes, Office of Motor Vehicles, 7979 Independence Blvd., Baton Rouge, Louisiana 70896, (225) 925-6747, spoke for information only on House Bill No. 644.

Steven Quidd, Office of Motor Vehicles, P. O. Box 66614, Baton Rouge, Louisiana 70896, spoke for information only on House Bill No. 644.

Reverend Dayne Huval, 330 Guilbeau Road, Lafayette, Louisiana 70506, (337) 989-0120, spoke for information only to House Bill No. 644.

Representative Havard offered an amendment to require the department to renew the driving school contracts, unless it finds the person engaged in prohibited activity. Representative Havard offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 12 yeas and 0 nays. Representatives Havard, Terry Brown, Carpenter, Steve Carter, Franklin, Hall, Hill, Terry Landry, Marcelle, Montoucet, Norton, and Pierre voted yea.

Representative Havard offered a motion to report House Bill No. 644 with amendments, to which Representative Terry Landry objected. The secretary called the roll, and the motion failed by a vote of 2 yeas and 14 nays. Representatives Havard and Howard voted yea. Representatives Adams, Terry Brown, Carpenter, Steve Carter, Gisclair, Hall, Hill, Terry Landry, Marcelle, Montoucet, Norton, Pierre, Pope, and White voted nay.

Witness cards submitted by individuals who did not speak are as follows: 1 card in support, and 1 card for information only. Witness cards are included in the committee records.

#### **House Bill No. 685 by Representative White**

Representative White presented House Bill No. 685, which requires certain test results to be submitted to OMV electronically.

Staci Hoyt, Office of Motor Vehicles, P.O. Box 64886, Baton Rouge, Louisiana 70896, (225) 925-4656, spoke for information only on House Bill No. 685.

Representative Havard offered amendments to:

1. Require results of only skills tests for applicants for Class "A", "B", or "C" driver's licenses be submitted to the Dept. of Public Safety and Corrections electronically.
2. Authorize the Dept. of Public Safety and Corrections to promulgate rules in accordance with the Administrative Procedure Act to implement proposed law.

Representative Havard offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Havard, Adams, Carpenter, Franklin, Gisclair, Hall, Hill, Howard, Terry Landry, Marcelle, Montoucet, Norton, Pierre, Pope, and White voted yea.

Representative Montoucet offered a motion to report House Bill No. 685 with amendments. Without objection, House Bill No. 685 was reported with amendments by a vote of 15 yeas and 0 nays.

Representatives Havard, Adams, Carpenter, Franklin, Gisclair, Hall, Hill, Howard, Terry Landry, Marcelle, Montoucet, Norton, Pierre, Pope, and White voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 card for information only. Witness cards are included in the committee records.

#### **House Bill No. 747 by Representative White**

Representative White presented House Bill No. 747, which allows cease and desist orders to be issued to persons contracted or licensed by the Dept. of Public Safety and Corrections, public safety services, to administer skills tests.

Staci Hoyt, Office of Motor Vehicles, P.O. Box 64886, Baton Rouge, Louisiana 70896, (225) 925-4656, spoke for information only on House Bill No. 747.

Representative Havard offered an amendment to make technical changes. Representative Havard offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 17 yeas and 0 nays. Representatives Havard, Adams, Terry Brown, Carpenter, Franklin, Gisclair, Guinn, Hall, Hill, Howard, Terry Landry, Marcelle, Montoucet, Norton, Pierre, Pope, and White voted yea.

Representative Terry Landry offered a motion to report House Bill No. 747 with amendments. Without objection, House Bill No. 747 was reported with amendments by a vote of 17 yeas and 0 nays. Representatives Havard, Adams, Terry Brown, Carpenter, Franklin, Gisclair, Guinn, Hall, Hill, Howard, Terry Landry, Marcelle, Montoucet, Norton, Pierre, Pope, and White voted yea.

#### **House Bill No. 111 by Representative Pylant**

Representative Pylant presented House Bill No. 111, which designates a bridge located on Louisiana Highway 4 as the "Chief Warrant Officer Brian Henderson Memorial Bridge".

Representative Havard offered an amendment to permit the Dept. of Transportation and Development to receive assistance, in monies or in kind, from the governing authorities of the parishes of Caldwell or Franklin to erect or maintain the signage required by proposed law.

Representative Havard offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 17 yeas and 0 nays. Representatives Havard, Adams, Terry Brown, Carpenter, Franklin, Gisclair, Guinn, Hall, Hill, Howard, Terry Landry, Marcelle, Montoucet, Norton, Pierre, Pope, and White voted yea.

Representative Terry Landry offered a motion to report House Bill No. 111 with amendments. Without objection, House Bill No. 111 was reported with amendments by a vote of 16 yeas and 0

nays. Representatives Havard, Adams, Terry Brown, Carpenter, Franklin, Gisclair, Hall, Hill, Howard, Terry Landry, Marcelle, Montoucet, Norton, Pierre, Pope, and White voted yea.

### **House Bill No. 329 by Representative Marcelle**

Representative Marcelle presented House Bill No. 329, which provides relative to entities authorized to provide services relative to motor vehicles.

Staci Hoyt, Office of Motor Vehicles, P.O. Box 64886, Baton Rouge, Louisiana 70896, (225) 925-4656, spoke for information only on House Bill No. 329.

Karen St. Germain, commissioner, Office of Motor Vehicles, P.O. Box 64886, Baton Rouge, Louisiana 70896, (225) 925-4656, spoke for information only on House Bill No. 329.

Representative Havard offered amendments in the form of a substitute bill to House Bill No. 329. Representative Havard offered a motion to adopt the substitute bill. Without objection, the motion passed by a vote of 14 yeas and 0 nays. Representatives Havard, Adams, Carpenter, Franklin, Gisclair, Hall, Howard, Terry Landry, Marcelle, Montoucet, Norton, Pierre, Pope, and White voted yea.

Representative Pierre offered a motion to report House Bill No. 329 by substitute. Without objection, House Bill No. 329 was reported by substitute by a vote of 14 yeas and 0 nays. Representatives Havard, Carpenter, Franklin, Gisclair, Guinn, Hall, Howard, Terry Landry, Marcelle, Montoucet, Norton, Pierre, Pope, and White voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 cards in support. Witness cards are included in the committee records.

### **House Bill No. 888 by Representative Pierre**

Representative Pierre presented House Bill No. 888, which modifies the license plate notification requirements applicable to dealers who resell trade-in vehicles and extends such requirements to lease returns.

Representative Havard offered an amendment to clarify a reference to department as the Department of Public Safety and Corrections. Representative Havard offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 15 yeas and 0 nays. Representatives Havard, Adams, Terry Brown, Carpenter, Franklin, Gisclair, Guinn, Hall, Hill, Terry Landry, Marcelle, Montoucet, Pierre, Pope, and White voted yea.

Representative Marcelle offered a motion to report House Bill No. 888 with amendments. Without objection, House Bill No. 888 was reported with amendments by a vote of 16 yeas and 0 nays.

Representatives Havard, Adams, Terry Brown, Carpenter, Franklin, Gisclair, Guinn, Hall, Hill, Terry Landry, Marcelle, Montoucet, Norton, Pierre, Pope, and White voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 cards in support and 1 card for information only. Witness cards are included in the committee records.

*Representative Terry Landry in the chair.*

### **House Bill No. 838 by Representative Havard**

Representative Havard presented House Bill No. 838, which provides relative to background checks for employees of third party testers or agents for the office of motor vehicles.

Duane Cowart, Driving School Association of Louisiana, 10935 Perkins Road, Baton Rouge, Louisiana 70810, (225) 405-4088, spoke in support of House Bill No. 838.

Steven Quidd, Office of Motor Vehicles, P. O. Box 66614, Baton Rouge, Louisiana 70896, spoke for information only on House Bill No. 838.

Bob White, Public Tag Association of Louisiana, 300 Gause Blvd., Slidell, Louisiana 70458, (985) 643-5500, spoke in support of House Bill No. 838.

Dan Casey, 3939 Veterans Blvd., Metairie, Louisiana 70002, (504) 875-1014, spoke in support of House Bill No. 838.

Witness cards submitted by individuals who did not speak are as follows: 1 card in support and 1 card for information only. Witness cards are included in the committee records.

Representative Pope offered amendments in the form of a substitute bill to House Bill No. 838. Representative Pope offered a motion to adopt the substitute bill. Without objection, the motion passed by a vote of 16 yeas and 0 nays. Representatives Havard, Adams, Terry Brown, Carpenter, Franklin, Gisclair, Guinn, Hall, Hill, Terry Landry, Marcelle, Montoucet, Norton, Pierre, Pope, and White voted yea.

Representative Terry Brown offered a motion to report House Bill No. 838 by substitute. Without objection, House Bill No. 838 was reported by substitute by a vote of 15 yeas and 0 nays. Representatives Havard, Terry Brown, Carpenter, Franklin, Gisclair, Guinn, Hall, Hill, Terry Landry, Marcelle, Montoucet, Norton, Pierre, Pope, and White voted yea.

*Representative Havard in the chair.*



#### **IV. PRESENTATIONS**

##### **Driving School Association of Louisiana**

Duane Cowart, Driving School Association of Louisiana, 10935 Perkins Road, Baton Rouge, Louisiana 70810, (225) 405-4088, gave a brief overview of the Driving School Association of Louisiana, the Public Tag Association, and he introduced Mr. Dan Mobley to the committee.

##### **American Council of Engineering Companies of Louisiana**

Mr. Dan Mobley, no information provided, gave a brief overview of the American Council of Engineering Companies of Louisiana.

#### **V. OTHER BUSINESS**

There was no other business.

#### **VI. ANNOUNCEMENTS**

There were no announcements.

#### **VII. ADJOURNMENT**

The meeting was adjourned at 11:22 a.m.

Respectfully submitted,

Chairman Kenneth E. Havard  
House Committee on Transportation, Highways and Public Works

Date adopted: