

House Committee on Transportation, Highways and Public Works

Minutes of Meeting
2018 Regular Session
April 3, 2018

I. CALL TO ORDER

Representative Terry C. Landry, Sr., chairman of the House Committee on Transportation, Highways and Public Works, called the meeting to order at 10:07 a.m. in Room 3, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Terry C. Landry, Sr., vice chairman
Representative Ken Brass
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 Frank A. Howard
Representative H. Bernard LeBas
Representative Barbara M. Norton
Representative Vincent J. Pierre
Representative J. Rogers Pope
Representative John M. Stefanski
Representative Malinda B. White
Representative Mark Wright

MEMBERS ABSENT:

Representative Dorothy Sue Hill
Representative C. Denise Marcelle

STAFF MEMBERS PRESENT:

Ashleigh Clare-Kearney, attorney
Glenn Fleming, attorney

Angelique R. Mozee, secretary

ADDITIONAL ATTENDEES PRESENT:

Vivian Hurst, sergeant at arms
Nyla Rivarde, clerk

III. DISCUSSION OF LEGISLATION

House Bill No. 659 by Representative Havard

Representative Havard presented House Bill No. 659, which provides relative to rules and regulations governing towing companies.

Representative Terry Landry offered amendments to make technical changes. Representative Terry Landry offered a motion to adopt the proposed amendments. Without objection, the amendment was adopted by a vote of 16 yeas and 0 nays. Representatives Terry Landry, Brass, Terry Brown, Carpenter, Steve Carter, Gisclair, Guinn, Hall, Howard, LeBas, Norton, Pierre, Pope, Stefanski, White, and Wright voted yea.

Representative Terry Landry offered amendments to:

- (1) Make technical changes to the title.
- (2) Remove the requirements that the tow trucks storage facility remains open for at least eight hours following the last tow.
- (3) Require the tow truck company to provide a contact number where the owner or employee can be reached, and the owner or employee shall open the business, regardless of the time, to accept payment, and release a towed vehicle to the owner or redeemer.

Representative Terry Landry offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 16 yeas and 0 nays. Representatives Terry Landry, Brass, Terry Brown, Carpenter, Steve Carter, Gisclair, Guinn, Hall, Howard, LeBas, Norton, Pierre, Pope, Stefanski, White, and Wright voted yea.

Representative Terry Landry offered amendments to:

- (1) Make technical changes to the citation and the title.

- (2) Restore present law which provides that a vehicle would not be required to be tagged for removal, if the billing invoice has been signed by the property owner or his authorized representative or, if the tow truck company engages in a nonconsensual tow motor vehicle, according to present law.

Representative Terry Landry offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 16 yeas and 0 nays. Representatives Terry Landry, Brass, Terry Brown, Carpenter, Steve Carter, Gisclair, Guinn, Hall, Howard, LeBas, Norton, Pierre, Pope, Stefanski, White, and Wright voted yea.

Lt. Roland Mathews, State Police, no address provided, (225) 925-7200, spoke for information only on House Bill No. 659.

Mr. Brandon Frey, Louisiana Public Service Commission, P.O. Box 91154, Baton Rouge, LA 70821, (225) 342-5163, spoke for information only on House Bill No. 659.

Mr. Don Moreland, ASAP Towing, 2090 Gause Blvd. W., Slidell, LA 70460, (985) 643-2727, spoke in opposition to House Bill No. 659.

Mr. Thomas Huffman, Any Body Towing & Recovery, LLC., 4702 Cameron St., Lafayette, LA, (337) 269-2639, spoke in opposition to House Bill No. 659.

Ms. Ruby Clark, Copes Towing, 1715 Jackson St., Monroe, LA 71234, (318) 387-3941, spoke in opposition to House Bill No. 659.

Mr. Larry Bankston, Rudy Smith Services, 8708 Jefferson Hwy., Baton Rouge, LA 70809, (225) 766-3800, spoke in opposition to House Bill No. 659.

Mr. Rudy Smith, Rudy Smith Services, 425 North Claiborne Ave., New Orleans, LA 70112, (504) 522-8123, spoke in opposition to House Bill No. 659.

Representative Franklin offered a motion to invoke the 3 minute rule on House Bill No. 659, to which Representative Pope objected. The secretary called the roll, and the motion failed by a vote of 6 yeas and 8 nays. Representatives Steve Carter, Franklin, Gisclair, Hall, Howard, and Wright voted yea. Representatives Terry Landry, Brass, Terry Brown, Carpenter, Guinn, Norton, Pope, and White voted nay.

Ms. Ann Spink, American Coachworks, 8458 Lockhart Rd., Denham Springs, LA, (225) 665-7427, spoke in opposition to House Bill No. 659.

Mr. Ray Esmail, Three Brothers Quick Towing, 2100 Poydras St., New Orleans, LA 70112, (504) 218-9119, spoke in opposition to House Bill No. 659.

Mr. Stephen Bradford, GNS Towing, 15788 Chef Hwy., New Orleans, LA, (504) 243-6846, spoke in opposition to House Bill No. 659.

Representative Terry Landry offered amendments to restore present law, which authorizes a tow truck company to assess, apply, or charge a gate fee and notification fee to the owner, operator, or redeemer of a motor vehicle towed beginning on the first business day immediately following the day of the nonconsensual tow.

Representative Terry Landry offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 17 yeas and 0 nays. Representatives Terry Landry, Brass, Terry Brown, Carpenter, Steve Carter, Franklin, Gisclair, Guinn, Hall, Howard, LeBas, Norton, Pierre, Pope, Stefanski, White, and Wright voted yea.

Representative Terry Landry offered a motion to report House Bill No. 659 with amendments, to which Representative Franklin objected. The secretary called the roll, and the motion failed by a vote of 1 yeas and 15 nays. Representative Terry Landry voted yea. Representatives Brass, Carpenter, Steve Carter, Franklin, Gisclair, Guinn, Hall, Howard, LeBas, Norton, Pierre, Pope, Stefanski, White, and Wright voted nay.

Witness cards submitted by individuals who did not speak are as follows: 35 in opposition. Witness cards are included in the committee records.

House Bill No. 637 by Representative Hunter

Representative Hunter presented House Bill No. 637, which provides for reinstatement of driving while intoxicated hardship license by court order.

Representative Stefanski offered amendments in the form of a substitute bill. Representative Stefanski offered a motion to adopt the substitute bill. Without objection, the motion passed by a vote of 13 yeas and 0 nays. Representatives Terry Landry, Brass, Terry Brown, Steve Carter, Franklin, Gisclair, Hall, Norton, Pierre, Pope, Stefanski, White, and Wright voted yea.

Representative Norton offered a motion to report House Bill No. 637 by substitute. Without objection, House Bill No. 637 was reported by substitute by a vote of 14 yeas and 0 nays. Representatives Terry Landry, Brass, Terry Brown, Carpenter, Steve Carter, Franklin, Gisclair, Hall, Norton, Pierre, Pope, Stefanski, White, and Wright voted yea.

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

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

Representative Terry Landry advised the members to be conscious of the committee rules in the next committee meeting.

VI. ADJOURNMENT

Representative Carpenter offered a motion to adjourn. Without objection, the motion passed by a vote of 14 yeas and 0 nays. Representatives Terry Landry, Brass, Terry Brown, Carpenter, Steve Carter, Franklin, Gisclair, Hall, Norton, Pierre, Pope, Stefanski, White, and Wright voted yea.

The meeting was adjourned at 11:53 a.m.

Respectfully submitted,

Chairman Terry C. Landry, Sr.
House Committee on Transportation, Highways and Public Works

Date approved: _____