

House Committee on Transportation, Highways and Public Works

Minutes of Meeting
2019 Regular Session
May 20, 2019

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 9:11 a.m. in Room 3, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Terry C. Landry, Sr., chairman
Representative Roy Daryl Adams
Representative Terry R. Brown
Representative Barbara W. Carpenter
Representative Stephen F. Carter, vice chairman
Representative A B Franklin
Representative Jerry Gisclair
Representative John E. Guinn
Representative Dorothy Sue Hill
Representative Frank A. Howard
Representative Ed Larvadain III
Representative C. Denise Marcelle
Representative Barbara M. Norton
Representative Vincent J. Pierre
Representative J. Rogers Pope
Representative Malinda B. White
Representative Mark Wright

MEMBERS ABSENT:

Representative Kendricks "Ken" Brass
Representative H. Bernard LeBas

STAFF MEMBERS PRESENT:

Ashleigh Clare-Kearney, attorney
Glenn Fleming, attorney

Angelique R. Mozee, secretary

ADDITIONAL ATTENDEES PRESENT:

Vivien Hurst, sergeant at arms
LaKisha Carmese, clerk

III. DISCUSSION OF LEGISLATION

Senate Bill No. 91 by Senator Cortez

Senator Cortez presented Senate Bill No. 91, which provides relative to electric low-speed scooters, and provided a handout, Exhibit A, which is included in the committee records.

Representative Terry Landry offered amendments to:

- (1) Make technical changes.
- (2) Provide for an effective date of July 1, 2019.

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

Mr. Larry Murray, The Capitol Group, LIME, P. O. Box 44153, Baton Rouge, LA 70804, (225) 413-8705, spoke in support of Senate Bill No. 91.

Representative Pierre offered a motion to report Senate Bill No. 91 with amendments. Without objection, Senate Bill No. 91 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Terry Landry, Adams, Carpenter, Franklin, Gisclair, Guinn, Howard, Larvadain, Norton, Pierre, Pope, and White voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support, and 1 for information only. Witness cars are included in the committee records.

Senate Bill No. 163 by Senator Cortez

Senator Cortez presented Senate Bill No. 163, which provides relative to special permits for the operation of vehicles issued by the Department of Transportation and Development.

Mr. Joshua Hollins, Department of Transportation and Development, no card provided, spoke for information only on Senate Bill No. 163.

Representative Norton offered a motion to report Senate Bill No. 163 favorably. Without objection, Senate Bill No. 163 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Terry Landry, Adams, Terry Brown, Carpenter, Gisclair, Guinn, Howard, Larvadain, Norton, Pierre, Pope, and White voted yea.

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

Senate Bill No. 200 by Senator Cortez

Senator Cortez presented Senate Bill No. 200, which provides for use of A + B bid method in contracts for public works let by local governmental subdivisions and political subdivisions under certain conditions, and provided a handout, Exhibit B, which is included in the committee records.

Representative White offered a motion to report Senate Bill No. 200 favorably. Without objection, Senate Bill No. 200 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Terry Landry, Adams, Terry Brown, Carpenter, Franklin, Howard, Larvadain, Norton, Pierre, Pope, and White voted yea.

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

Senate Bill No. 201 by Senator Mizell

Senator Mizell presented Senate Bill No. 201, which repeals the Washington Parish Reservoir District and directs the transfer of any remaining property and excess funds to the Department of Culture, Recreation and Tourism in support of the Bogue Chitto State Park, and provided a handout, Exhibit C, which is included in the committee records.

Chairman Terry Landry read into record a letter from Lieutenant Governor Billy Nungesser, supporting Senate Bill No. 201.

Representative White offered a motion to report Senate Bill No. 201 favorably. Without objection, Senate Bill No. 201 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Terry Landry, Adams, Terry Brown, Carpenter, Franklin, Howard, Larvadain, Marcelle, Norton, Pierre, Pope, and White voted yea.

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

Senate Bill No. 3 by Senator Mizell

Senator Mizell presented Senate Bill No. 3, which provides authority for the commissioner of the OMV to waive any penalty, procedure, or requirement for failure to maintain insurance provided that the principal driver of the motor vehicle is the registered owner or owner's spouse or child who was in the hospital or has died and the owner can provide such proof to the commissioner.

Representative Marcelle offered a motion to report Senate Bill No. 3 favorably. Without objection, Senate Bill No. 3 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Terry Landry, Adams, Terry Brown, Carpenter, Gisclair, Howard, Larvadain, Marcelle, Norton, Pope, and White voted yea.

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

Senate Bill No. 143 by Senator Gary Smith

Senator Gary Smith presented Senate Bill No. 143, which provides relative to driver's licenses.

Mr. Stephen Quidd, office of motor vehicles, P.O. Box 66614, Baton Rouge, LA 70899, (225) 925-6103, spoke for information only on Senate Bill No. 143.

Representative Pope offered a motion to report Senate Bill No. 143 favorably. Without objection, Senate Bill No. 143 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Terry Landry, Adams, Terry Brown, Carpenter, Gisclair, Guinn, Howard, Larvadain, Marcelle, Norton, Pierre, and Pope voted yea.

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

Senate Bill No. 233 by Senator Gary Smith

Senator Gary Smith presented Senate Bill No. 233, which increases the "contract limit" that requires public bid for public work related to drainage projects done by regular maintenance employees in St. Charles Parish.

Mr. Clayton Faucheux, St. Charles Parish Public Works, 100 River Oaks Drive, Destrahan, LA, no zip code provided, (985) 783-5102, spoke in support of Senate Bill No. 233.

Ms. Mary Clulee, St. Charles Parish Council, P.O. Box 302, Hahnville, LA 70057, (985) 785-5000, spoke in support of Senate Bill No. 233.

Representative Larvadain offered a motion to report Senate Bill No. 233 favorably. Without objection, Senate Bill No. 233 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Terry Landry, Adams, Terry Brown, Carpenter, Gisclair, Guinn, Howard, Larvadain, Marcelle, Pierre, and Pope voted yea.

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

Representative Gisclair in the chair.

Senate Bill No. 30 by Senator Ward

On behalf of Senator Ward, Representative Terry Landry presented Senate Bill No. 30, which adds Pointe Coupee Parish to the territorial limits and jurisdiction of the Greater Baton Rouge Port Commission.

Representative Terry Landry offered amendments to:

- (1) Make technical changes.
- (2) Require that one of the members of the Greater Baton Rouge Port Commission, that is appointed by the governor, be a member of the La. Farm Bureau Federation from Pointe Coupee Parish.
- (3) Modify the definition of "Transfer Terminal Facilities" to include an ability to accommodate deep draft vessels rather than deep draft container vessels.
- (4) Specify that the Board of Commissioners of the La. International Deep Water Gulf Transfer Terminal Authority must be governed by a board of fourteen commissioners instead of fifteen and specify that ten of those members must be appointed by the governor.
- (5) Remove the member of the commission that is selected by the New Orleans Public Belt Railway and appointed by the governor.

Representative Terry Landry offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Terry Landry, Adams, Terry Brown, Carpenter, Gisclair, Howard, Larvadain, Marcelle, Norton, and Pope voted yea.

Mr. Robert Marionneaux, Port of Greater Baton Rouge, Baton Rouge, LA, no zip code provided, (225) 342-1660, spoke for information only on Senate Bill No. 30.

Mr. Johnny Koch, LIGITT, 8440 Jefferson Highway, no city/state provided, (225) 445-4805, spoke in support of Senate Bill No. 30.

Representative Marcelle offered a motion to report Senate Bill No. 30 with amendments. Without objection, Senate Bill No. 30 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Terry Landry, Adams, Terry Brown, Carpenter, Gisclair, Guinn, Howard, Larvadain, Marcelle, Norton, Pierre, and Pope voted yea.

Witness cards submitted by individuals who did not speak are as follows: 8 in support. Witness cards are included in the committee records.

Senate Bill No. 47 by Senator Erdey

On behalf of Senator Erdey, Representative Terry Landry presented Senate Bill No. 47, which requires the assistant secretary of OMV, not later than October 1, 2020, to establish, operate, and maintain commercial motor vehicle information systems and to deny or revoke commercial motor vehicle registration under certain circumstances.

Ms. Jill Jarreau, office of motor vehicles, P.O. Box 64886, Baton Rouge, LA 70896, (225) 925-7917, spoke for information only on Senate Bill No. 47.

Representative Pierre offered a motion to report Senate Bill No. 47 favorably. Without objection, Senate Bill No. 47 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Terry Landry, Adams, Terry Brown, Carpenter, Gisclair, Guinn, Howard, Larvadain, Marcelle, Norton, Pierre, and Pope voted yea.

Chairman Terry Landry in the chair.

Senate Bill No. 138 by Senator Gatti

Senator Gatti presented Senate Bill No. 138, which requires postaccident drug testing when a traffic accident involves "serious bodily injury".

Representative Terry Landry offered amendments to:

- (1) Make technical changes.
- (2) Change "serious bodily injury" to "suspected serious injury".
- (3) Exempt an operator of any motor vehicle that does not receive a violation and is involved in a collision or the operator of any watercraft that does not receive a violation and is involved in a collision, crash, or other casualty in which a suspected serious injury occurs from being

required to submit to a chemical test or tests of his blood, urine, or other bodily substance for the purpose of determining the presence of any abused substance or controlled dangerous substance as provided for in present law or any other impairing substance.

- (4) Define "suspected serious injury", as provided for in the 4th Edition of the Model Minimum Uniform Crash Criteria Guideline, as any injury other than fatal which results in any of the following: (a) severe laceration resulting in exposure of underlying tissues, muscle, or organs, or resulting in significant blood loss; (b) broken or distorted extremity; (c) crash injuries; (d) suspected skull, chest, or abdominal injury other than bruises or minor lacerations; (e) significant burns; (f) unconsciousness when taken from the crash scene; and (g) paralysis.
- (5) Require the Dept. of Public Safety and Corrections to adopt rules and regulations, including updating the Uniform Motor Vehicle Traffic Crash Report, to implement the provisions of proposed law.

Representative Terry Landry offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Terry Landry, Adams, Terry Brown, Gisclair, Guinn, Howard, Larvadain, Marcelle, Norton, Pierre, and Pope voted yea.

Representative Terry Landry offered amendments to:

- (1) Make technical changes.
- (2) Exempt the law enforcement officer and the law enforcement agency employing the law enforcement officer from civil or criminal liability as a result of any act or omission taken in response to proposed law.

Representative Terry Landry offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Terry Landry, Adams, Terry Brown, Carpenter, Gisclair, Guinn, Howard, Marcelle, Norton, Pierre, and Pope voted yea.

Ms. Morgan Grantham, 444 Kingston Plantation, Benton, LA, no zip code provided, (318) 272-6847, spoke in support of Senate Bill No. 138.

Lieutenant Robert Burns, Louisiana State Police, 7919 Independence Boulevard, Baton Rouge, LA 70806, (225) 925-4239, spoke for information only on Senate Bill No. 138

Representative Terry Brown offered a motion to report Senate Bill No. 138 with amendments. Without objection, Senate Bill No. 138 was reported with amendments by a vote of 13 yeas and 0

nays. Representatives Terry Landry, Adams, Terry Brown, Carpenter, Franklin, Gisclair, Guinn, Hill, Larvadain, Marcelle, Norton, Pierre, and Pope voted yea.

Witness cards submitted by individuals who did not speak are as follows: 7 in support. Witness cards are included in the committee records.

House Concurrent Resolution No. 90 by Representative Hodges

Representative Hodges presented House Concurrent Resolution No. 90, which expands the Comite River Diversion Canal Project Task Force.

Representative Carpenter offered a motion to report House Concurrent Resolution No. 90 favorably. Without objection, House Concurrent Resolution No. 90 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Terry Landry, Adams, Terry Brown, Carpenter, Franklin, Gisclair, Guinn, Larvadain, Marcelle, Norton, Pierre, and Pope voted yea.

House Resolution No. 155 by Representative Bishop

On behalf of Representative Bishop, Representative Marcelle presented House Resolution No. 155, which approves the annual state integrated coastal protection plan for Fiscal Year 2020, as adopted by the Coastal Protection and Restoration Authority Board.

Mr. Chip Kline, Coastal Protection and Restoration Authority (CPRA), 1051 North Third Street, Baton Rouge, LA 70812, (225) 342-4367, spoke for information only and provided a handout, Exhibit D, which is included in the committee records.

Representative Gisclair offered a motion to report House Resolution No. 155 favorably. Without objection, House Resolution No. 155 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Terry Landry, Adams, Terry Brown, Carpenter, Franklin, Gisclair, Guinn, Hill, Larvadain, Marcelle, Norton, Pierre, and Pope voted yea.

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

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

Chairman Terry Landry announced that the Transportation committee will have their final meeting on May 30, 2019.

VI. ADJOURNMENT

Representative Norton offered a motion to adjourn. Without objection, the motion passed by a vote of 13 yeas and 0 nays. Representatives Terry Landry, Adams, Terry Brown, Carpenter, Franklin, Gisclair, Guinn, Hill, Larvadain, Marcelle, Norton, Pierre, and Pope voted yea.

The meeting was adjourned at 11:31 a.m.

Respectfully submitted,

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

Date adopted: