

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

Minutes of Meeting  
2021 Regular Session  
May 17, 2021

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

Representative Vincent J. Pierre, chairman of the House Committee on Transportation, Highways and Public Works, called the meeting to order at 1:14 p.m. in Room 3, in the state capitol in Baton Rouge, Louisiana.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Vincent J. Pierre, chairman  
Representative Kendrick "Ken" Brass, vice chairman  
Representative Mack Marcel Cormier  
Representative Barbara Reich Freiberg  
Representative Foy Bryan Gadberry  
Representative Dodie Horton  
Representative C. Travis Johnson  
Representative Patricia "Pat" Moore  
Representative Charles Anthony Owen  
Representative Robert "Bob" Owen  
Representative Rodney Wayne Schamerhorn  
Representative Larry Selders

#### **MEMBERS ABSENT:**

Representative Kathy Edmonston  
Representative Michael "Gabe" Firmant  
Representative Cedric B. Glover

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

LeeAnne Sharlow, attorney  
Carlesia Bibbins, attorney  
Brandy Phillips, committee administrative assistant

**ADDITIONAL ATTENDEES PRESENT:**

Vivian Hurst, sergeant at arms

**III. DISCUSSION OF LEGISLATION**

**Senate Bill No. 88 by Senator Connick**

Senator Connick presented Senate Bill No. 88, which authorizes levee boards to spend funds generated from one or more levee districts in another district that benefits an entire levee authority.

Representative Schamerhorn offered a motion to report Senate Bill No. 88 favorably. Without objection, Senate Bill No. 88 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Pierre, Brass, Cormier, C. Travis Johnson, Moore, Charles Owen, Schamerhorn, and Selders 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. 98 by Senator Lambert**

Senator Lambert presented Senate Bill No. 98, which provides relative to marine products.

Representative Horton offered a motion to report Senate Bill No. 98 favorably. Without objection, Senate Bill No. 98 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Pierre, Brass, Horton, C. Travis Johnson, Moore, Charles Owen, Robert Owen, Schamerhorn, and Selders voted yea.

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

**Senate Bill No. 111 by Senator Womack**

Senator Womack presented Senate Bill No. 111, which provides for bids, claims, and payments involving public contracts.

Representative Horton offered a motion to report Senate Bill No. 111 favorably. Without objection, Senate Bill No. 111 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Pierre, Brass, Cormier, Horton, C. Travis Johnson, Moore, Charles Owen, Robert Owen, Schamerhorn, and Selders 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. 190 by Senator Smith**

Senator Smith presented Senate Bill No. 190, which transfers stationary weight enforcement to DOTD.

Secretary Shawn Wilson, DOTD, 1201 Capitol Access Road, Baton Rouge, LA 70802, (225) 379-1200, spoke for information only.

Representative Selders offered a motion to report Senate Bill No. 190 favorably. Without objection, Senate Bill No. 190 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Pierre, Brass, Cormier, Freiberg, Horton, C. Travis Johnson, Moore, Charles Owen, Robert Owen, Schamerhorn, and Selders voted yea.

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

**House Resolution No. 66 by Representative Thompson**

Representative Thompson presented House Resolution No. 66, which urges and requests the Department of Transportation and Development to study and work with Interstate 20 Amtrak partners to develop a passenger rail service connecting Texas and Mississippi through North Louisiana.

Secretary Shawn Wilson, DOTD, 1201 Capitol Access Road, Baton Rouge, LA 70802, (225) 379-1200, spoke for information only.

Representative C. Travis Johnson offered a motion to report House Resolution No. 66 favorably. Without objection, House Resolution No. 66 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Pierre, Brass, Cormier, Freiberg, Horton, C. Travis Johnson, Moore, Robert Owen, Schamerhorn, and Selders 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.

**Senate Bill No. 147 by Senator Ward**

Senator Ward presented Senate Bill No. 147, which provides for personal delivery devices.

Representative Pierre offered amendments to:

1. Make technical changes.
2. Add a provision that specifies that personal delivery devices may also be prohibited by airport authorities by resolution or ordinance in the interest of public safety.

Representative Pierre offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Pierre, Brass, Cormier, Freiberg, Horton, C. Travis Johnson, Moore, Robert Owen, Schamerhorn, and Selders voted yea.

Representative C. Travis Johnson offered a motion to report Senate Bill No. 147 with amendments. Without objection, Senate Bill No. 147 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Pierre, Brass, Cormier, Freiberg, Horton, C. Travis Johnson, Moore, Charles Owen, Robert Owen, Schamerhorn, and Selders voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support. Witness cards are included in the committee records.

#### **Senate Bill No. 207 by Senator White**

On behalf of Senator White, Senator Ward presented Senate Bill No. 207, which provides relative to subpoenas of DOTD contractors and public entities advertising for public work.

Representative Pierre offered amendments to:

1. Make technical changes.
2. Delete a provision that required an acknowledgment of compliance with a legislative subpoena be submitted with bidding documents for all public work contracts.

Representative Pierre offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Pierre, Brass, Cormier, Freiberg, Horton, C. Travis Johnson, Moore, Charles Owen, Robert Owen, Schamerhorn, and Selders voted yea.

Representative Schamerhorn offered a motion to report Senate Bill No. 207 with amendments. Without objection, Senate Bill No. 207 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Pierre, Brass, Cormier, Freiberg, Horton, C. Travis Johnson, Moore, Charles Owen, Robert Owen, Schamerhorn, and Selders voted yea.

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

**Senate Bill No. 112 by Senator Henry**

On behalf of Senator Henry, Mr. Randy Haynie, Enterprise Rental Car, 1465 Ted Dunham Avenue, Baton Rouge, LA, (225) 336-4143, presented Senate Bill No. 112, which requires certain parties be notified when a vehicle is stored pursuant to the Louisiana Towing and Storage Act.

Representative Pierre offered amendments to:

1. Change the age of applicable vehicle from three to five years.
2. Require notice be sent to the holder of any lien on the stored vehicle, in addition to the owner.

Representative Pierre offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Pierre, Brass, Freiberg, Horton, C. Travis Johnson, Moore, Charles Owen, Robert Owen, Schamerhorn, and Selders voted yea.

Representative Pierre offered amendments to:

1. Make technical changes.
2. Require a towing or storage company assess a gate fee in an amount fixed by the Public Service Commission. Authorizes a towing or storage company to charge a fee in an amount fixed by the Public Service Commission for the retrieval of contents from a stored or towed vehicle at a time other than during normal business hours.
3. Require the administrative and mailing fees for filing the Official Report of Stored Vehicles for in-state and out-of-state notifications be determined by the Public Service Commission.

Representative Pierre offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Pierre, Brass, Freiberg, Horton, C. Travis Johnson, Moore, Charles Owen, Robert Owen, Schamerhorn, and Selders voted yea.

Representative Pierre offered amendments to:

1. Make technical changes.
2. Remove a provision for the owner-operator to have the vehicle physically inspected by a trained and certified Peace Officer Standards and Training certified law enforcement officer for an application for the crushing or dismantling of the vehicle at the expiration of thirty days.

Representative Pierre offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Pierre, Brass, Freiberg, Horton, C. Travis Johnson, Moore, Charles Owen, Robert Owen, Schamerhorn, and Selders voted yea.

Representative Pierre offered amendments to:

1. Make technical changes.
2. Add lienholder information as specific data that must be furnished by the department prior to dismantling. Also, require copies of notices sent to the lienholder prior to dismantling.

Representative Pierre offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Pierre, Brass, Cormier, Freiberg, Horton, C. Travis Johnson, Moore, Charles Owen, Robert Owen, Schamerhorn, and Selders voted yea.

Representative Moore offered a motion to report Senate Bill No. 112 with amendments. Without objection, Senate Bill No. 112 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Pierre, Brass, Freiberg, Horton, C. Travis Johnson, Moore, Charles Owen, Robert Owen, Schamerhorn, and Selders voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support. Witness cards are included in the committee records.

### **House Bill No. 654 by Representative Moore**

Representative Moore presented House Bill No. 654, which provides relative to the designation of highway safety corridors by the Department of Transportation and Development and the Louisiana Department of Transportation and Development.

Representative Pierre offered amendments to:

1. Make technical changes.
2. Remove the provision that required the vehicles registered owner be liable to make prompt payment of the proper penalty to the municipality or local governing body that has jurisdiction over the location of the highway safety corridor violation.
3. Prohibit the secretary of the Dept. of Transportation and Development, the superintendent of the Louisiana State Police, and the executive director of the Louisiana Highway Safety Commission from being liable for any property damages,

injuries, or deaths that may arise in the enforcement of proposed law after reviewing all data and studies for the establishment of the highway safety corridor.

4. Require the secretary of the Dept. of Transportation and Development to coordinate with Louisiana State Police for the exercise police powers of the state as necessary to maintain the peace and accomplish the orderly handling of this authority, subject to the provisions of proposed law.
5. Require an administrative fee of \$25 dollars and a late charge of \$5.
6. Prohibit the Administrative Procedure Act from applying to the manner the hearing is noticed or conducted, but rather to the notice of the decision, request for rehearing, and a petition for judicial review.
7. Require the office of motor vehicles issue a notice to the violator at the address listed on the violator's driver's license, unless a more current address is on file, and to identify the violator's vehicle by vehicle identification number when the department receives notice from the Dept. of Transportation and Development to block the renewal or reissuance of the driver's license or registration of a frequent violator.
8. Require the notice advise of the block against renewal or reissuance, including a duplicate registration or driver's license. Require the notice state the requirement to pay the reinstatement fee to the office of motor vehicles in addition to providing compliance from Dept. of Transportation and Development to remove the block against renewal or reissuance. Require the reinstatement fee be \$100 and require DOTD provide a complete record on all violations of the violator including notices, evidence, or other required used in determining the violation or conduction any hearing or appeal.

Representative Pierre offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Pierre, Brass, Cormier, Freiberg, Horton, C. Travis Johnson, Moore, Charles Owen, Robert Owen, Schamerhorn, and Selders voted yea.

Secretary Shawn Wilson, DOTD, 1201 Capitol Access Road, Baton Rouge, LA 70802, (225) 379-1200, spoke for information only.

Ms. Renee Amar, LMTA, 4838 Bennington Avenue, Baton Rouge, LA 70808, (225) 287-0117, spoke for information only.

Lt. Robert Burns, Louisiana State Police, 7919 Independence Boulevard, Baton Rouge, LA 70806, (225) 925-4239, spoke for information only.

Representative Freiberg offered a motion to report House Bill No. 654 with amendments, to which Representative Charles Owen objected. The administrative assistant called the roll, and House Bill No. 654 was reported with amendments by a vote of 9 yeas and 3 nays. Representatives Pierre, Brass, Cormier, Freiberg, Gadberry, C. Travis Johnson, Moore, Schamerhorn, and Selders voted yea. Representatives Horton, Charles Owen, and Robert Owen voted nay.

*Vice Chairman Brass in the chair.*

### **House Concurrent Resolution No. 68 by Representative Pierre**

Representative Pierre presented House Concurrent Resolution No. 68, which urges and requests the Department of Transportation and Development to study the length and danger of longer freight trains.

Representative Pierre offered amendments to:

1. Expand the Department of Transportation and Development's recommendations to include the following considerations:
  - (a) The findings of the Federal Highway Administration study conducted on train length safety.
  - (b) The safety implications and difference between trains carrying flammable hazardous cargo and hazardous freight.
  - (c) The trains traveling within and outside the city limits, including rural and highway areas, along with areas otherwise densely populated, with and without hazardous or flammable freight and non-hazardous freight.

Representative Pierre offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Pierre, Brass, Freiberg, Horton, C. Travis Johnson, Moore, Charles Owen, Robert Owen, Schamerhorn, and Selders voted yea.

Mr. Chris Christianson, SMART-TD, 228 Pucketyville Drive, Collinston, LA 71229, (318) 235-7232, spoke in support of House Concurrent Resolution No. 68.

Mr. Drew Tessier, Union Pacific Railroad, 1121 Belvedere Drive, no city or state provided, (225) 266-5660, spoke in opposition to House Concurrent Resolution No. 68.

Mr. Michael Garriga, BNSF Railway, 5280 East Shelby Drive, Memphis, TN 38118, (901) 433-5040, spoke in opposition to House Concurrent Resolution No. 68.



Mr. Eric Kalivode, DOTD, 1201 Capitol Access Road, Baton Rouge, LA 70802, (225) 933-6299, spoke for information only.

Representative Freiberg offered a motion to report House Concurrent Resolution No. 68 with amendments. Without objection, House Concurrent Resolution No. 68 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Pierre, Brass, Cormier, Freiberg, Gadberry, Horton, C. Travis Johnson, Moore, Charles Owen, Robert Owen, Schamerhorn, and Selders voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support and 3 in opposition. Witness cards are included in the committee records.

**IV. OTHER BUSINESS**

There was no other business.

**V. ANNOUNCEMENTS**

There were no announcements.

**VI. ADJOURNMENT**

Representative Travis Johnson offered a motion to adjourn. Without objection, the motion passed by a vote of 12 yeas and 0 nays. Representatives Pierre, Brass, Cormier, Freiberg, Gadberry, Horton, C. Travis Johnson, Moore, Charles Owen, Robert Owen, Schamerhorn, and Selders voted yea.

The meeting was adjourned at 3:31 p.m.

Respectfully submitted,

Chairman Vincent J. Pierre  
House Committee on Transportation, Highways and Public Works

Date adopted:

The committee has acknowledged on \_\_\_\_\_, that these minutes were prepared in accordance with the rules of the House of Representatives.