

2018 Regular Session

HOUSE BILL NO. 889

BY REPRESENTATIVE TERRY LANDRY

MOTOR VEHICLES: Provides relative to special permit fees

1 AN ACT

2 To amend and reenact R.S. 32:387(C)(3)(d), (e), (f), and (g), (H)(2)(introductory paragraph),  
3 (a), (b), and (c)(i) and (iv), (J)(1)(a), (2)(a), and (3)(a), 387.6(2), 387.7(A)(2),  
4 387.9(2), 387.10(A)(2), 387.11(B), 387.12(B), 387.14, 387.16(A)(2) and  
5 387.19(A)(2), relative to special permit; to increase special permit fees for certain  
6 special permits; to require percent increases based on the average consumer price  
7 index on a certain date; to provide for an adjustment of the permit fee once every five  
8 years based on the average consumer price index; to prohibit any reduction in permit  
9 fees; to provide for an effective date; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 32:387(C)(3)(d), (e), (f), and (g), (H)(2)(introductory paragraph), (a),  
12 (b), and (c)(i) and (iv), (J)(1)(a), (2)(a), and (3)(a), 387.6(2), 387.7(A)(2), 387.9(2),  
13 387.10(A)(2), 387.11(B), 387.12(B), 387.14, 387.16(A)(2) and 387.19(A)(2) are hereby  
14 amended and reenacted to read as follows:

15 §387. Special permits

16 \* \* \*  
17 C.  
18 \* \* \*  
19 (3)  
20 \* \* \*

1 (d) The secretary shall collect a one-time fee of ~~ten~~ seventeen dollars for  
2 each harvest year for the issuance of the special harvest season permits. Beginning  
3 in August of 2019, the one-time fee shall be increased by an amount equal to the  
4 percent increase in the average consumer price index as published by the United  
5 States Department of Labor, bureau of labor statistics, between the figures for the  
6 2017 and 2018 calendar years. The increase calculated shall be rounded to the  
7 nearest dollar. Thereafter, once every five years, a similar adjustment shall be made  
8 to the one-time fee, as adjusted, based on the percent change to the nearest dollar in  
9 the average consumer price index between the complete calendar years preceding  
10 August of the year in which the adjustment is made. Under no circumstances shall  
11 the one-time fee or any escalation thereof, pursuant to the provisions of this  
12 Subparagraph, be reduced.

13 (e) In addition, upon application of the owner or operator of any vehicle or  
14 combination of vehicles which has a minimum of eighteen wheels and which is  
15 engaged in the transfer of commercial and household trash, garbage, refuse waste,  
16 or recyclable waste material loaded exclusively from Department of Environmental  
17 Quality authorized pickup stations, or transfer stations, or both, and upon payment  
18 of a fee of ~~ten~~ sixteen dollars, the secretary shall issue a special permit authorizing  
19 the vehicle or combination of vehicles to operate on any state-maintained highway  
20 except the interstate system at a total gross weight of eighty-six thousand six hundred  
21 pounds. The permit shall be valid for one year. Except as otherwise provided in this  
22 Subparagraph, all of the provisions of this Paragraph shall apply to permits issued  
23 under pursuant to the provisions of this Subparagraph and to vehicles or  
24 combinations of vehicles for which permits are issued under pursuant to the  
25 provisions of this Subparagraph. Beginning in August of 2019, the fee shall be  
26 increased by an amount equal to the percent increase in the average consumer price  
27 index as published by the United States Department of Labor, bureau of labor  
28 statistics, between the figures for the 2017 and 2018 calendar years. The increase  
29 calculated shall be rounded to the nearest dollar. Thereafter, once every five years,

1 a similar adjustment shall be made to the fee, as adjusted, based on the percent  
2 change to the nearest dollar in the average consumer price index between the  
3 complete calendar years preceding August of the year in which the adjustment is  
4 made. Under no circumstances shall the fee or any escalation thereof, pursuant to  
5 the provisions of this Subparagraph, be reduced.

6 (f)(i) In addition, upon application of the owner or operator of any vehicle  
7 or combination of vehicles which has a minimum of eighteen wheels, used to transfer  
8 commercial and household trash, garbage, refuse, or recyclable waste material  
9 loaded exclusively from the Department of Environmental Quality authorized pickup  
10 stations, or transfer stations, or both, and upon payment of a fee of one thousand  
11 eight hundred forty-two dollars, the secretary shall issue a special permit authorizing  
12 the vehicle or combination of vehicles to operate at the maximum axle weights  
13 provided ~~under~~ pursuant to the Department of Transportation and Development's  
14 regulations for overweight permit loads, on any state-maintained highway except the  
15 interstate system. The permit shall be valid for one year. Except as otherwise  
16 provided in this Subparagraph, all of the provisions of this Paragraph shall apply to  
17 permits issued ~~under~~ pursuant to the provisions of this Subparagraph and to vehicles  
18 or combinations of vehicles for which permits are issued ~~under~~ pursuant to the  
19 provisions of this Subparagraph. Beginning in August of 2019, the fee shall be  
20 increased by an amount equal to the percent increase in the average consumer price  
21 index as published by the United States Department of Labor, bureau of labor  
22 statistics, between the figures for the 2017 and 2018 calendar years. The increase  
23 calculated shall be rounded to the nearest dollar. Thereafter, once every five years,  
24 a similar adjustment shall be made to the fee, as adjusted, based on the percent  
25 change to the nearest dollar in the average consumer price index between the  
26 complete calendar years preceding August of the year in which the adjustment is  
27 made. Under no circumstances shall the fee or any escalation thereof, pursuant to  
28 the provisions of this Item, be reduced.

1           (ii) In addition, upon application of the owner or operator of any vehicle or  
2 combination of vehicles which has a minimum of eighteen wheels used to transfer  
3 bundled or bailed recyclable waste paper products and upon payment of a fee of one  
4 thousand eight hundred forty-two dollars, the secretary shall issue a special permit  
5 authorizing the vehicle or combination of vehicles to operate at the maximum axle  
6 weights provided ~~under~~ pursuant to the Department of Transportation and  
7 Development's regulations for overweight permit loads on any state-maintained  
8 highway except the interstate system. Such vehicles or the loads thereon shall not  
9 exceed a width of ten feet. The permit shall be valid for one year. Except as  
10 otherwise provided in this Subparagraph, all the provisions of this Paragraph shall  
11 apply to permits issued ~~under~~ pursuant to the provisions of this Subparagraph and to  
12 ~~vehicle~~ vehicles or combinations of vehicles for which permits are issued ~~under~~  
13 pursuant to the provisions of this Subparagraph. The provisions of this Item shall  
14 include the equipment necessary for the loading or unloading of the load. Beginning  
15 in August of 2019, the fee shall be increased by an amount equal to the percent  
16 increase in the average consumer price index as published by the United States  
17 Department of Labor, bureau of labor statistics, between the figures for the 2017 and  
18 2018 calendar years. The increase calculated shall be rounded to the nearest dollar.  
19 Thereafter, once every five years, a similar adjustment shall be made to the fee, as  
20 adjusted, based on the percent change to the nearest dollar in the average consumer  
21 price index between the complete calendar years preceding August of the year in  
22 which the adjustment is made. Under no circumstances shall the fee or any  
23 escalation thereof, pursuant to the provisions of this Item, be reduced.

24           (g) In addition, upon application of the owner or operator of any truck fitted  
25 with a compactor body which is engaged in the collecting and hauling of solid waste  
26 including residential solid waste, agricultural waste, commercial solid waste,  
27 construction or demolition debris, garbage, industrial solid waste, trash, white goods,  
28 woodwaste, and yard trash as defined by the Department of Environmental Quality's  
29 rules and regulations, and upon payment of a fee of ~~fifty~~ eighty-three dollars, the

1 secretary of the Department of Transportation and Development shall issue a special  
 2 permit authorizing said single vehicles with tandem axles to operate on any state-  
 3 maintained highway including the interstate system at a total gross weight not to  
 4 exceed sixty-eight thousand pounds provided the federal government does not raise  
 5 any objections to such permitted weight limitations and the secretary shall issue a  
 6 special permit authorizing said single vehicles which have tridum axles to operate  
 7 on any state-maintained highway including the interstate system at a total gross  
 8 weight not to exceed eighty thousand pounds provided the federal government does  
 9 not raise any objection to such permitted weight limitation. The permit shall be valid  
 10 for one year. Except as otherwise provided herein, all of the provisions of this  
 11 Paragraph shall apply to permits issued under the provisions herein and to said trucks  
 12 for which permits are issued hereunder. Nothing herein shall preempt municipal or  
 13 parish ordinances regulating weight limits on municipal or parish streets or roads.  
 14 Beginning in August of 2019, the fee shall be increased by an amount equal to the  
 15 percent increase in the average consumer price index as published by the United  
 16 States Department of Labor, bureau of labor statistics, between the figures for the  
 17 2017 and 2018 calendar years. The increase calculated shall be rounded to the  
 18 nearest dollar. Thereafter, once every five years, a similar adjustment shall be made  
 19 to the fee, as adjusted, based on the percent change to the nearest dollar in the  
 20 average consumer price index between the complete calendar years preceding  
 21 August of the year in which the adjustment is made. Under no circumstances shall  
 22 the fee or any escalation thereof, pursuant to the provisions of this Subparagraph, be  
 23 reduced.

\* \* \*

H. Special permit fees.

\* \* \*

27 ~~(2) Fees for an overweight permit shall be as set forth in the following~~  
 28 ~~schedules~~ Beginning in August of 2019, the fee for an overweight permit shall be

1 increased by an amount equal to the percent increase in the average consumer price  
 2 index as published by the United States Department of Labor, bureau of labor  
 3 statistics, between the figures for the 2017 and 2018 calendar years . The increase  
 4 calculated shall be rounded to the nearest dollar. Thereafter, once every five years,  
 5 a similar adjustment shall be made to the fee, as adjusted, based on the percent  
 6 change to the nearest dollar in the average consumer price index between the  
 7 complete calendar years preceding the year in which the adjustment is made. Under  
 8 no circumstances shall the fee or any escalation thereof, pursuant to the provisions  
 9 of this Paragraph, be reduced. Specifically, fees for an overweight permit shall be as  
 10 set forth in the following schedules:

- 11 (a) This schedule is for three types of vehicles:
- 12 (i) Vehicles and combinations of vehicles ~~which~~ that do not exceed the legal  
 13 gross weight; but ~~which~~ exceed the legal axle weight on one to three single or  
 14 individual axles or on tandem, tridum, or quadrum axles, including the steering axles.
- 15 (ii) Vehicles or combinations of vehicles ~~which~~ that have two or three single  
 16 or individual axles total and ~~which~~ exceed both their legal gross weight and legal  
 17 axle weight.
- 18 (iii) Off-road equipment with two to four single or individual axles, or  
 19 tandem, or tridum axles.

PERMIT FEE DOLLARS

	<u>EXCESS WEIGHT</u>		<u>DISTANCE IN MILES</u>			
<u>POUNDS</u>	<u>0-50</u>	<u>51-100</u>	<u>101-150</u>	<u>151-200</u>	<u>OVER 200</u>	
0-10,000	<del>\$20.00</del> <u>45.00</u>	<del>\$30.00</del> <u>68.00</u>	<del>\$35.00</del> <u>79.00</u>	<del>\$45.00</del> <u>102.00</u>	<del>\$55.00</del> <u>124.00</u>	
10,001-20,000	<del>35.00</del> <u>79.00</u>	<del>65.00</del> <u>147.00</u>	<del>90.00</del> <u>204.00</u>	<del>115.00</del> <u>260.00</u>	<del>140.00</del> <u>317.00</u>	
20,001-30,000	<del>55.00</del> <u>124.00</u>	<del>100.00</del> <u>226.00</u>	<del>140.00</del> <u>317.00</u>	<del>185.00</del> <u>418.00</u>	<del>230.00</del> <u>520.00</u>	
30,001-40,000	<del>70.00</del> <u>158.00</u>	<del>135.00</del> <u>305.00</u>	<del>195.00</del> <u>441.00</u>	<del>255.00</del> <u>577.00</u>	<del>315.00</del> <u>712.00</u>	
40,001-50,000	<del>90.00</del> <u>204.00</u>	<del>170.00</del> <u>385.00</u>	<del>245.00</del> <u>554.00</u>	<del>325.00</del> <u>735.00</u>	<del>405.00</del> <u>916.00</u>	
50,001-60,000	<del>105.00</del> <u>237.00</u>	<del>205.00</del> <u>464.00</u>	<del>300.00</del> <u>678.00</u>	<del>395.00</del> <u>893.00</u>	<del>490.00</del> <u>1109.00</u>	
Over 60,000--	<del>\$10.00</del> <u>23.00</u> permit fee plus <del>\$0.07</del> <u>0.16</u> per ton-mile will be charged					

30 (b) This schedule is for combinations of vehicles with four single or  
 31 individual axles including the steering axle.

1 FOUR AXLES, INCLUDING STEERING AXLE:

2 PERMIT FEE DOLLARS

3	<u>GROSS WEIGHT</u>		<u>DISTANCE IN MILES</u>			
	4 <u>POUNDS</u>	<u>0-50</u>	<u>51-100</u>	<u>101-150</u>	<u>151-200</u>	<u>OVER 200</u>
5	66,001-80,000	<del>\$20.00</del> <u>45.00</u>	<del>\$35.00</del> <u>79.00</u>	<del>\$45.00</del> <u>101.77</u>	<del>\$60.00</del> <u>136.00</u>	<del>\$70.00</del> <u>158.00</u>
6	80,001-90,000	<del>45.00</del> <u>102.00</u>	<del>75.00</del> <u>170.00</u>	<del>110.00</del> <u>228.00</u>	<del>145.00</del> <u>328.00</u>	<del>175.00</del> <u>396.00</u>

7 (c)(i) This schedule is for combinations of vehicles with five or more single  
8 or individual axles, or tandem, or tridum axles, including the steering axle, where the  
9 gross weight exceeds eighty thousand pounds.

10 FIVE OR MORE AXLES INCLUDING STEERING AXLE

11 WHERE GROSS WEIGHT EXCEEDS 80,000 POUNDS

12 PERMIT FEE DOLLARS

13	<u>GROSS WEIGHT</u>		<u>DISTANCE IN MILES</u>			
	14 <u>POUNDS</u>	<u>0-50</u>	<u>51-100</u>	<u>101-150</u>	<u>151-200</u>	<u>OVER 200</u>
15	80,001-100,000	<del>\$30.00</del> <u>68.00</u>	<del>\$45.00</del> <u>102.00</u>	<del>\$65.00</del> <u>147.00</u>	<del>\$80.00</del> <u>181.00</u>	<del>\$100.00</del> <u>226.00</u>
16	100,001-108,000	<del>50.00</del> <u>113.00</u>	<del>95.00</del> <u>215.00</u>	<del>135.00</del> <u>305.00</u>	<del>180.00</del> <u>407.00</u>	<del>220.00</del> <u>498.00</u>
17	108,001-120,000	<del>70.00</del> <u>158.00</u>	<del>130.00</del> <u>294.00</u>	<del>190.00</del> <u>430.00</u>	<del>250.00</del> <u>565.00</u>	<del>310.00</del> <u>701.00</u>
18	120,001-132,000	<del>90.00</del> <u>204.00</u>	<del>170.00</del> <u>385.00</u>	<del>250.00</del> <u>565.00</u>	<del>330.00</del> <u>746.00</u>	<del>415.00</del> <u>939.00</u>
19	132,001-152,000	<del>120.00</del> <u>271.00</u>	<del>225.00</del> <u>509.00</u>	<del>335.00</del> <u>758.00</u>	<del>445.00</del> <u>1006.00</u>	<del>555.00</del> <u>1255.00</u>
20	152,001-172,000	<del>155.00</del> <u>351.00</u>	<del>295.00</del> <u>667.00</u>	<del>440.00</del> <u>995.00</u>	<del>585.00</del> <u>1323.00</u>	<del>730.00</del> <u>1651.00</u>
21	172,001-192,000	<del>190.00</del> <u>430.00</u>	<del>365.00</del> <u>825.00</u>	<del>545.00</del> <u>1253.00</u>	<del>725.00</del> <u>1640.00</u>	<del>905.00</del> <u>2047.00</u>
22	192,001-212,000	<del>225.00</del> <u>509.00</u>	<del>435.00</del> <u>984.00</u>	<del>650.00</del> <u>1470.00</u>	<del>865.00</del> <u>1956.00</u>	<del>1080.00</del> <u>2442.00</u>
23	212,001-232,000	<del>260.00</del> <u>467.00</u>	<del>505.00</del> <u>906.00</u>	<del>755.00</del> <u>1355.00</u>	<del>1005.00</del> <u>1804.00</u>	<del>1250.00</del> <u>2244.00</u>
24	232,001-254,000	<del>295.00</del> <u>460.00</u>	<del>575.00</del> <u>896.00</u>	<del>860.00</del> <u>1340.00</u>	<del>1145.00</del> <u>1784.00</u>	<del>1420.00</del> <u>2212.00</u>

25 \* \* \*

26 (iv) OVER 254,000 -- ~~\$10.00~~ 18.00 permit fee, plus ~~\$0.50~~ 1.00 per ton-mile  
27 of weight in excess of 80,000 pounds, plus a fee for structural evaluation based on  
28 the following schedule:

29 (aa) ~~\$125.00~~ 224.00 -- for evaluation of treated timber, concrete slab, and  
30 precast concrete slab bridge.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 (bb) ~~\$850.00~~ 1,526.00 -- for evaluation of truss, continuous span, and  
2 movable bridges and for all Mississippi River structures.

3 (cc) ~~\$500.00~~ 897.00 -- for all other structures.

4 \* \* \*

5 J. Notwithstanding other provisions of this Subpart or other provisions of  
6 law to the contrary, vehicles hauling prepackaged products in international trade  
7 originating from or destined to an intermodal facility, which are containerized in  
8 such a manner as to make subdivision thereof impractical, shall be authorized special  
9 container permits. For the purposes of this Subsection, the contents of a sealed  
10 container being used in international trade in conjunction with a maritime shipment  
11 shall be considered indivisible. The special container permits shall be subject to the  
12 following provisions:

13 (1)(a) Upon application of the owner or operator of any vehicle transporting  
14 intermodal containers, within a fifty-mile radius of a statutorily defined port or  
15 harbor district, the secretary shall issue a Class I Ocean Container Permit for the  
16 transportation of such containers with the gross vehicle weight limitation not to  
17 exceed eighty thousand pounds and the axle weight not to exceed forty thousand  
18 pounds per tandem axle group. Additionally, provided there are no objections raised  
19 by the Federal Highway Administration, any vehicle transporting intermodal  
20 containers with an open-top or flat rack with a gross vehicle weight not to exceed  
21 eighty thousand pounds and axle weight not to exceed forty thousand pounds per  
22 tandem axle group shall be eligible for the Class I Ocean Container Permit. The  
23 applicant shall indicate on the application the vehicle identification number of the  
24 vehicle for which the permit shall be issued. The annual fee for the permit shall be  
25 ~~fifty~~ ninety dollars per vehicle. If the vehicle for which the permit issued is no  
26 longer usable to the owner or operator, the permit may be transferred to a  
27 replacement vehicle. However, such transfer shall be authorized only one time  
28 during the year for which the permit is in effect. All fines and penalties assessed  
29 against a vehicle hauling containerized prepackaged products in international trade



1 for failing to provide proof to any law enforcement or weight enforcement officer  
 2 that the cargo originated from or is destined to an intermodal facility shall be waived  
 3 by the Department of Transportation and Development upon submission to the  
 4 department of satisfactory proof that the cargo originated from or was destined to an  
 5 intermodal facility. Beginning in August of 2019, the fee shall be increased by an  
 6 amount equal to the percent increase in the average consumer price index as  
 7 published by the United States Department of Labor, bureau of labor statistics,  
 8 between the figures for the 2017 and 2018 calendar years. The increase calculated  
 9 shall be rounded to the nearest dollar. Thereafter, once every five years, a similar  
 10 adjustment shall be made to the fee, as adjusted, based on the percent change to the  
 11 nearest dollar in the average consumer price index between the complete calendar  
 12 years preceding the year in which the adjustment is made. Under no circumstances  
 13 shall the fee or any escalation thereof, pursuant to the provisions of this  
 14 Subparagraph, be reduced.

15 \* \* \*

16 (2)(a) Upon application of the owner or operator of any vehicle transporting  
 17 sealed intermodal containers within a fifty-mile radius of a statutorily defined port  
 18 or harbor district, the secretary shall issue a Class II Ocean Container Permit for the  
 19 transportation of such containers with the gross vehicle weight limitation not to  
 20 exceed ninety-five thousand pounds and the axle weight not to exceed twenty  
 21 thousand pounds per axle provided the rear axle set is in tridem. The applicant shall  
 22 indicate on the application the vehicle identification number of the vehicle for which  
 23 the permit shall be issued. The annual fee for the permit shall be ~~five~~ nine hundred  
 24 dollars per vehicle. If the vehicle for which the permit is issued is no longer usable  
 25 by the owner or operator, the permit may be transferred to the replacement vehicle.  
 26 However, such transfer shall be authorized only one time during the year for which  
 27 the permit is in effect. Beginning in August of 2019, the fee shall be increased by  
 28 an amount equal to the percent increase in the average consumer price index as  
 29 published by the United States Department of Labor, bureau of labor statistics,

1 between the figures for the 2017 and 2018 calendar years. The increase calculated  
 2 shall be rounded to the nearest dollar. Thereafter, once every five years, a similar  
 3 adjustment shall be made to the fee, as adjusted, based on the percent change to the  
 4 nearest dollar in the average consumer price index between the complete calendar  
 5 years preceding the year in which the adjustment is made. Under no circumstances  
 6 shall the fee or any escalation thereof, pursuant to the provisions of this  
 7 Subparagraph, be reduced.

8 \* \* \*

9 (3)(a) Upon application of the owner or operator of any vehicle transporting  
 10 a liquid bulk container within a fifty-mile radius of a statutorily defined port or  
 11 harbor district, the secretary shall issue a Liquid Bulk Container Permit with the  
 12 gross vehicle weight limitation not to exceed ninety-five thousand pounds and the  
 13 axle weight not to exceed twenty thousand pounds per axle provided the rear axle set  
 14 is in tridem. Each vehicle issued such a permit shall be equipped with a standard  
 15 intermodal drop-frame chassis with twist locks to secure the liquid bulk container on  
 16 the chassis. The applicant shall indicate on the application the VIN number for the  
 17 power unit of the vehicle for which the permit shall be issued. The annual fee for the  
 18 permit shall be ~~two~~ three hundred fifty-nine dollars per vehicle. If the vehicle for  
 19 which the permit is issued is no longer usable by the owner or operator, the permit  
 20 may be transferred to a replacement vehicle. However, such transfer shall be  
 21 authorized only one time during the year for which the permit is in effect. Beginning  
 22 in August of 2019, the fee shall be increased by an amount equal to the percent  
 23 increase in the average consumer price index as published by the United States  
 24 Department of Labor, bureau of labor statistics, between the figures for the 2017 and  
 25 2018 calendar years. The increase calculated shall be rounded to the nearest dollar.  
 26 Thereafter, once every five years, a similar adjustment shall be made to the fee, as  
 27 adjusted, based on the percent change to the nearest dollar in the average consumer  
 28 price index between the complete calendar years preceding the year in which the

1 adjustment is made. Under no circumstances shall the fee or any escalation thereof,  
2 pursuant to the provisions of this Subparagraph, be reduced.

3 \* \* \*

4 §387.6. Special permits; trucks hauling cotton modules

5 Notwithstanding any other provision of law to the contrary, the secretary  
6 shall issue annual special permits to persons who operate trucks which haul cotton  
7 modules and are in compliance with the provisions of the Federal Motor Carrier  
8 Safety Regulations. These permits shall be issued in accordance with the following  
9 provisions:

10 \* \* \*

11 (2) The fee for the permits shall be  ~~fifty~~ eighty-two dollars per permit per  
12 year. Beginning in August of 2019, the fee shall be increased by an amount equal  
13 to the percent increase in the average consumer price index as published by the  
14 United States Department of Labor, bureau of labor statistics, between the figures for  
15 the 2017 and 2018 calendar years. The increase calculated shall be rounded to the  
16 nearest dollar. Thereafter, once every five years, a similar adjustment shall be made  
17 to the fee, as adjusted, based on the percent change to the nearest dollar in the  
18 average consumer price index between the complete calendar years preceding the  
19 year in which the adjustment is made. Under no circumstances shall the fee or any  
20 escalation thereof, pursuant to the provisions of this Paragraph, be reduced.

21 \* \* \*

22 §387.7. Special permits; vehicles hauling sugarcane

23 A. Notwithstanding any other provision of law to the contrary and provided  
24 that there are no objections raised by the federal government, the secretary shall  
25 issue annual special permits to persons who own or operate vehicles which haul  
26 sugarcane. Such permits may be issued to either the pulling unit or the trailer  
27 contained in the combination which shall have a minimum of eighteen wheels.  
28 These permits shall be issued in accordance with the following provisions:

29 \* \* \*

1           (2) The fee for the permits shall be one hundred ~~sixty-five~~ dollars per permit  
2 per year. Beginning in August of 2019, the fee shall be increased by an amount  
3 equal to the percent increase in the average consumer price index as published by the  
4 United States Department of Labor, bureau of labor statistics, between the figures for  
5 the 2017 and 2018 calendar years. The increase calculated shall be rounded to the  
6 nearest dollar. Thereafter, once every five years, a similar adjustment shall be made  
7 to the fee, as adjusted, based on the percent change to the nearest dollar in the  
8 average consumer price index between the complete calendar years preceding the  
9 year in which the adjustment is made. Under no circumstances shall the fee or any  
10 escalation thereof, pursuant to the provisions of this Paragraph, be reduced.

11   \*         \*         \*

12           §387.9. Special permit; vehicles hauling agronomic or horticultural crops

13           Notwithstanding any other provision of law to the contrary, the secretary  
14 shall issue annual special permits to persons who operate vehicles hauling agronomic  
15 or horticultural crops in their natural state. Such permits may be issued to either the  
16 pulling unit or the trailer contained in the combination which shall have a minimum  
17 of eighteen wheels. These permits shall be issued in accordance with the following  
18 provisions:

19   \*         \*         \*

20           (2) The fee for the permits shall be one hundred ~~fifty-six~~ dollars per permit  
21 per year. Beginning in August of 2019, the fee shall be increased by an amount  
22 equal to the percent increase in the average consumer price index as published by the  
23 United States Department of Labor, bureau of labor statistics, between the figures for  
24 the 2017 and 2018 calendar years. The increase calculated shall be rounded to the  
25 nearest dollar. Thereafter, once every five years, a similar adjustment shall be made  
26 to the fee, as adjusted, based on the percent change to the nearest dollar in the  
27 average consumer price index between the complete calendar years preceding the  
28 year in which the adjustment is made. Under no circumstances shall the fee or any  
29 escalation thereof, pursuant to the provisions of this Paragraph, be reduced.

1 \* \* \*

2 §387.10. Special permit; vehicles transporting timber cutting or logging equipment

3 A. Notwithstanding any other provision of law to the contrary, whenever a  
4 vehicle is being operated to transport two, but not more than two, pieces of timber  
5 cutting or logging equipment from one job site to another, the secretary shall issue  
6 an annual special overweight permit to the person who operates the vehicle. The  
7 permit shall be issued in accordance with the following provisions:

8 \* \* \*

9 (2) The fee for the permit shall be one hundred fifty-six dollars per permit  
10 per year. Beginning in August of 2019, the fee shall be increased by an amount  
11 equal to the percent increase in the average consumer price index as published by the  
12 United States Department of Labor, bureau of labor statistics, between the figures for  
13 the 2017 and 2018 calendar years. The increase calculated shall be rounded to the  
14 nearest dollar. Thereafter, once every five years, a similar adjustment shall be made  
15 to the fee, as adjusted, based on the percent change to the nearest dollar in the  
16 average consumer price index between the complete calendar years preceding the  
17 year in which the adjustment is made. Under no circumstances shall the fee or any  
18 escalation thereof, pursuant to the provisions of this Paragraph, be reduced.

19 \* \* \*

20 §387.11. Semiannual critical off-road equipment permit; authorization

21 \* \* \*

22 B. The fee for a semiannual critical off-road equipment permit shall be based  
23 on the following formula:

24 
$$\frac{\# \text{ of lbs. over weight} \times \$\text{-}\del{07}.\text{11} / \text{ton} \times \# \text{ of miles in 6 mos.} + \$\text{25 } \del{38}(\text{adm. fee})}{2000}$$
  
25  
26 Beginning in August of 2019, the fee shall be increased by an amount equal

27 to the percent increase in the average consumer price index as published by the  
28 United States Department of Labor, bureau of labor statistics, between the figures for  
29 the 2017 and 2018 calendar years. The increase calculated shall be rounded to the  
30 nearest dollar. Thereafter, once every five years, a similar adjustment shall be made

1 to the fee, as adjusted, based on the percent change to the nearest dollar in the  
2 average consumer price index between the complete calendar years preceding the  
3 year in which the adjustment is made. Under no circumstances shall the fee or any  
4 escalation thereof, pursuant to the provisions of this Subsection, be reduced.

5 \* \* \*

6 §387.12. Annual noncritical off-road equipment permit; authorization

7 \* \* \*

8 B. The fee for a noncritical off-road equipment permit shall be one thousand  
9 five hundred nine dollars per permit per year. Beginning in August of 2019, the fee  
10 shall be increased by an amount equal to the percent increase in the average  
11 consumer price index as published by the United States Department of Labor, bureau  
12 of labor statistics, between the figures for the 2017 and 2018 calendar years. The  
13 increase calculated shall be rounded to the nearest dollar. Thereafter, once every five  
14 years, a similar adjustment shall be made to the fee, as adjusted, based on the percent  
15 change to the nearest dollar in the average consumer price index between the  
16 complete calendar years preceding the year in which the adjustment is made. Under  
17 no circumstances shall the fee or any escalation thereof, pursuant to the provisions  
18 of this Subsection, be reduced.

19 \* \* \*

20 §387.14. Special permit; heavy equipment

21 In addition to the special permits issued on an annual basis or a per trip basis  
22 as provided for in this Part, the secretary is hereby authorized to issue annual special  
23 permits to transporters of heavy equipment. The secretary shall promulgate rules and  
24 regulations in accordance with the Administrative Procedure Act to implement the  
25 provisions of this Section, including but not limited to the fee for such annual permit,  
26 which shall not exceed ~~two~~ three thousand ~~five~~ six hundred ~~seventy-one~~ dollars, and  
27 the size and weight authorized under the permit, which shall not exceed size and  
28 weight restrictions for transporters of heavy equipment under this Part. Beginning  
29 in August of 2019, the fee shall be increased by an amount equal to the percent

1 increase in the average consumer price index as published by the United States  
 2 Department of Labor, bureau of labor statistics, between the figures for the 2017 and  
 3 2018 calendar years. The increase calculated shall be rounded to the nearest dollar.  
 4 Thereafter, once every five years, a similar adjustment shall be made to the fee, as  
 5 adjusted, based on the percent change to the nearest dollar in the average consumer  
 6 price index between the complete calendar years preceding the year in which the  
 7 adjustment is made. Under no circumstances shall the fee or any escalation thereof,  
 8 pursuant to the provisions of this Section, be reduced.

9 \* \* \*

10 §387.16. Special permit; sealed containerized cargo for export; containerboard, kraft  
 11 liner, and roll pulp; limitations

12 A. Provided there are no objections raised by the Federal Highway  
 13 Administration, the secretary may issue special annual permits for one-way hauls  
 14 from Pineville, Louisiana to New Orleans, Louisiana of sealed containerized cargo  
 15 intended for exportation. This special annual permit shall be limited to sealed  
 16 containerized cargo which contains containerboard, kraft liner, or roll pulp. These  
 17 permits shall be issued in accordance with the following provisions:

18 \* \* \*

19 (2) The fee for the permit shall be ~~seven hundred fifty~~ one thousand twenty-  
 20 three dollars per year. Beginning in August of 2019, the fee shall be increased by an  
 21 amount equal to the percent increase in the average consumer price index as  
 22 published by the United States Department of Labor, bureau of labor statistics,  
 23 between the figures for the 2017 and 2018 calendar years. The increase calculated  
 24 shall be rounded to the nearest dollar. Thereafter, once every five years, a similar  
 25 adjustment shall be made to the fee, as adjusted, based on the percent change to the  
 26 nearest dollar in the average consumer price index between the complete calendar  
 27 years preceding the year in which the adjustment is made. Under no circumstances  
 28 shall the fee or any escalation thereof, pursuant to the provisions of this Paragraph,  
 29 be reduced.

1 \* \* \*

2 §387.19. Special permit; bagged rice for export; rules and regulations; Port of Lake  
3 Charles

4 A. Provided there are no written objections raised by the Federal Highway  
5 Administration, the secretary of the Department of Transportation and Development  
6 may issue special annual permits for one-way hauls of bagged rice for export within  
7 a sixty-mile radius of the Port of Lake Charles. These special permits shall be  
8 issued at the truck permit office of the Department of Transportation and  
9 Development.

10 \* \* \*

11 (2) The fee for the permit shall be five hundred seventy-two dollars annually.  
12 Beginning in August of 2019, the fee shall be increased by an amount equal to the  
13 percent increase in the average consumer price index as published by the United  
14 States Department of Labor, bureau of labor statistics, between the figures for the  
15 2017 and 2018 calendar years. The increase calculated shall be rounded to the  
16 nearest dollar. Thereafter, once every five years, a similar adjustment shall be made  
17 to the fee, as adjusted, based on the percent change to the nearest dollar in the  
18 average consumer price index between the complete calendar years preceding the  
19 year in which the adjustment is made. Under no circumstances shall the fee or any  
20 escalation thereof, pursuant to the provisions of this Paragraph, be reduced.

21 \* \* \*

22 Section 2. This Act shall become effective upon signature by the governor or, if not  
23 signed by the governor, upon expiration of the time for bills to become law without signature  
24 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
25 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
26 effective on the day following such approval.



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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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HB 889 Original

2018 Regular Session

Terry Landry

**Abstract:** Increases the fees for special permits and requires that the fees be increased by an amount equal to the percent increase in the average consumer price index beginning in August of 2019 and once every five years thereafter.

Present law authorizes the secretary to collect a one-time fee of \$10 for each harvest year for the issuance of the special harvest season permits.

Proposed law increases the fee from \$10 to \$17.

Present law authorizes the secretary to collect a fee of \$10 for a special permit that allows a vehicle or combination of vehicles that engage in the transfer of commercial and household trash, garbage, refuse waste, or recyclable waste material to operate on any state-maintained highway except the interstate system at a total gross weight of 86,600 lbs.

Proposed law increases the fee from \$10 to \$16.

Present law authorizes the secretary to collect a fee of \$1,000 for a special permit that allows a vehicle or combination of vehicles that engage in the transfer of commercial and household trash, garbage, refuse waste, or recyclable waste material to operate at the maximum axle weights provided under the Dept. of Transportation and Development's regulations for overweight permit loads on any state-maintained highway except the interstate system.

Proposed law increases the fee from \$1,000 to \$1,842.

Present law authorizes the secretary to collect a fee of \$1,000 for a special permit that allows any vehicle or combination of vehicles which has a maximum weight of 18 wheels used to transfer bundled or bailed recyclable waste paper products to operate at the maximum axle weights provided under the Dept. of Transportation and Development's regulations for overweight permit loads on any state-maintained highway except the interstate system.

Proposed law increases the fee from \$1,000 to \$1,842.

Present law authorizes the secretary to collect a fee of \$50 for a special permit that allows the owner or operator of any truck fitted with a compactor body which is engaged in the collecting and hauling of solid waste including residential solid waste, agricultural waste, commercial solid waste, construction or demolition debris, garbage, industrial solid waste, trash, white goods, woodwaste, and yard trash to operate on any state-maintained highway including the interstate system at a total gross weight not to exceed 68,000 lbs. provided the federal government does not raise any objections to such permitted weight limitations.

Proposed law increases the fee from \$50 to \$83.

Present law provides for a permit fee schedule for vehicles and combinations of vehicles that do not exceed the legal gross weight, but exceed the legal axle weight on 1 to 3 single or individual axles or on tandem, tridum, or quadrum axles including the steering axles, vehicles or combinations of vehicles that have 2 or 3 single or individual axels total and exceed both their legal gross weight and legal axle weight, and off-road equipment with 2 to 4 single or individual axles, or tandem, or tridum axles.

Proposed law increases the fees provided for in present law.

Present law provides for a permit fee schedule for combinations of vehicles with 4 single or individual axles including the steering axle.

Proposed law increases the fees provided for in present law.

Present law provides for a permit fee schedule for combinations of vehicles with 5 or more single or individual axles, or tandem, or tridum axles, including the steering axles, where the gross weight exceeds \$80,000 lbs.

Proposed law increases the fees provided for in present law.

Present law provides that the annual fee for a Class I Ocean Container Permit for any vehicle transporting intermodal containers within a 50-mile radius of a statutorily defined port or harbor district is \$50 per vehicle.

Proposed law increases the annual permit fee from \$50 to \$90 per vehicle.

Present law provides that the annual fee for a Class II Ocean Container Permit for any vehicle transporting sealed intermodal containers within a 50-mile radius of a statutorily defined port or harbor district is \$500 per vehicle.

Proposed law increases the annual permit fee from \$500 to \$900 per vehicle.

Present law provides that the annual fee for a Liquid Bulk Container Permit for any vehicle transporting a liquid bulk container within a 50-mile radius of a statutorily defined port or harbor district is \$200 per vehicle.

Proposed law increases the annual permit fee from \$200 to \$359 per vehicle.

Present law authorizes the secretary to issue annual special permits at the cost of \$50 per permit year to persons who operate trucks which haul cotton modules and are in compliance with the provisions of the Federal Motor Carrier Safety Regulations.

Proposed law increases the annual permit fee from \$50 to \$82 per permit year.

Present law authorizes the secretary to issue annual special permits at the cost of \$100 per permit year to persons who own or operate vehicles which haul sugarcane.

Proposed law increases the annual permit fee from \$100 to \$165 per permit year.

Present law authorizes the secretary to issue annual special permits at the cost of \$100 per permit year to persons who operate vehicles hauling agronomic or horticultural crops in their natural state.

Proposed law increases the annual permit fee from \$100 to \$156 per permit year.

Present law authorizes the secretary to issue an annual special overweight permit at the cost of \$100 per permit year when a vehicle is being operated to transport 2, but not more than 2, pieces of timber cutting or logging equipment from one job site to another.

Proposed law increases the annual permit fee from \$100 to \$156 per permit year.

Present law provides that the fee for the semiannual critical off-road equipment permit must be based on the following formula:

$$\frac{\# \text{ of lbs. over weight} \times \$0.07/\text{ton} \times \# \text{ of miles in 6 mos.} + \$25 \text{ (adm. fee)}}{2000}$$

Proposed law modifies the formula as follows:

$$\frac{\# \text{ of lbs. over weight} \times \$0.11/\text{ton} \times \# \text{ of miles in 6 mos.} + \$38 \text{ (adm. fee)}}{2000}$$

Present law provides that the fee for a noncritical off-road equipment permit is \$1,000 per permit per year.

Proposed law increases the annual permit fee from \$1,000 to \$1,599 per permit year.

Present law authorizes the secretary to issue annual special permits to transporters of heavy equipment at a cost not to exceed \$2,500.

Proposed law increases the annual permit fee from \$2,500 to \$3,671.

Present law authorizes the secretary to issue annual special permits for one-way hauls from Pineville, La. to New Orleans, La. of sealed containerized cargo intended to exportation at a cost of \$750.

Proposed law increases the annual permit fee from \$750 to \$1,023.

Present law authorizes the secretary to issue annual special permits for one-way hauls of bagged rice for export within a 60 mile radius of the Port of Lake Charles at a cost of \$500.

Proposed law increases the permit fee from \$500 to \$572 annually.

Proposed law requires all fees be increased by an amount equal to the percentage increase of the average consumer price index between the figures for the 2017 and 2018 calendar years and requires that increase calculated by rounded to the nearest dollar beginning in Aug. of 2019.

Proposed law requires an adjustment be made to the fees every 5 years based upon the percentage change in the average consumer price index between the complete calendar years preceding Aug. of the year in which the adjustment is made and prohibits the fees from being reduced.

(Amends R.S. 32:387(C)(3)(d), (e), (f), and (g), (H)(2)(intro. para.), (a), (b), and (c)(i) and (iv), (J)(1)(a), (2)(a), and (3)(a), 387.6(2), 387.7(A)(2), 387.9(2), 387.10(A)(2), 387.11(B), 387.12(B), 387.14, 387.16(A)(2) and 387.19(A)(2))