

2022 Regular Session

HOUSE BILL NO. 860

BY REPRESENTATIVE MCFARLAND

TRANSPORTATION: Provides relative to the use of certain monies in the Transportation Trust Fund by the Department of Transportation and Development

1 AN ACT

2 To amend and reenact R.S. 48:77(C)(introductory paragraph) and (D) and to enact R.S.
3 48:77(F), relative to the use of certain monies in the Transportation Trust Fund; to
4 provide for the utilization of monies deposited in the subfund; to provide relative to
5 securing federal funding for transportation; to decrease monies utilized for mega
6 projects; to increase monies utilized for preservation projects; and to provide for
7 related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 48:77(C)(introductory paragraph) and (D) are hereby amended and
10 reenacted and R.S. 48:77(F) is hereby enacted to read as follows:

11 §77. Transportation Trust Fund; dedication and uses of certain monies to the
12 Construction Subfund

13 * * *

14 C. In any fiscal year, the ~~The~~ Department of Transportation and
15 Development ~~shall~~ may utilize up to ~~seventy-five~~ sixty percent of the monies
16 deposited into the subfund pursuant to Subsection A of this Section as follows:

17 * * *

18 D.(1) In any fiscal year, the ~~The~~ Department of Transportation and
19 Development shall utilize an amount not less than ~~twenty-five~~ forty percent of the
20 monies deposited into the subfund pursuant to Subsection A of this Section

1 ~~remaining monies~~ on highway and bridge preservation projects included in the
2 highway priority program pursuant to the Department of Transportation and
3 Development's definition of highway and bridge preservation projects. Of the
4 monies utilized by the Department of Transportation and Development pursuant to
5 this Subsection, an amount of five percent, not to exceed ten million dollars, shall be
6 utilized for projects authorized pursuant to the provisions of R.S. 48:224.1.

7 (2) In no fiscal year shall the investment in highway and bridge preservation
8 projects existing within metropolitan planning organization jurisdictions exceed the
9 investment in such projects outside of metropolitan planning organization
10 jurisdictions.

11 * * *

12 F. For any fiscal year where the department deems Subsections C and D of
13 this Section to limit or prevent its ability to secure all available federal funding for
14 transportation, the department shall notify the Joint Legislative Committee on the
15 Budget and the Joint Committee on Transportation, Highways and Public Works in
16 writing by the first day of January prior to the start of such fiscal year.

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)]

HB 860 Original 2022 Regular Session McFarland

Abstract: Modifies the utilization of monies deposited into the Transportation Trust Fund for mega, capacity, and preservation projects and provides for securing federal funding for transportation.

Present law requires the Dept. of Transportation and Development (DOTD) to utilize up to 75% of the monies deposited into the subfund pursuant to present law in conjunction with innovative financing opportunities, on highway priority program projects classified as mega projects pursuant to the DOTD's definition of mega projects, and for cash managed capacity projects included in the highway priority program pursuant to the DOTD's definition of capacity projects.

Proposed law changes present law by authorizing, rather than requiring, the DOTD, in any fiscal year, to utilize monies deposited into the subfund pursuant to present law for mega and capacity projects.

Proposed law modifies present law by decreasing the monies to be utilized by the DOTD for mega and capacity projects from 75% to 60%.

Present law requires the DOTD to utilize an amount of not less than 25% of the remaining monies on highway and bridge preservation projects included in the highway priority program pursuant to the DOTD's definition of highway and bridge preservation projects. Proposed law changes present law by requiring the DOTD, in any fiscal year, to utilize the monies deposited into the subfund pursuant to present law on highway and bridge preservation projects. Proposed law increases the percentage of the monies to be utilized from 25% to 40%.

Proposed law prohibits the investment in highway and bridge projects existing within metropolitan planning organizations jurisdictions from exceeding the investment in such projects outside of metropolitan planning organization jurisdictions in any fiscal year.

Proposed law requires the DOTD to notify the Joint Legislative Committee on the Budget and the Joint Committee on Transportation, Highways and Public Works in writing by the first day of Jan. prior to the start of the fiscal year should the DOTD deem present law to limit or prevent its ability to secure all available federal funding for transportation.

(Amends R.S. 48:77(C)(intro. para.) and (D); Adds R.S. 48:77(F))