

1 poor" families as defined by ALICE, a United Way measure applied to people who are Asset
2 Limited, Income Constrained, and Employed; and

3 WHEREAS, adding an additional burden on these families, through toll or user fee,
4 may have a chilling effect on an already sluggish economy attempting to rebound from a
5 pandemic and various natural disasters; and

6 WHEREAS, the implementation of tolls can limit the mobility of citizens from one
7 parish or municipality to another which places a burden on intrastate commerce; and

8 WHEREAS, R.S. 48:2084.5(A) prohibits the implementation of tolls by a private
9 entity but provides an exception to the general prohibitions; and

10 WHEREAS, the exception to the general prohibition allows a private entity to
11 implement a toll or user fee if "such road or system of roads, bridge, tunnel, or overpass is
12 improved or expanded"; and

13 WHEREAS, the term "improvement" is not defined in the "Louisiana Transportation
14 Authority Act" which contains the exception; and

15 WHEREAS, pursuant to R.S. 1:3, the term shall be read with its context and shall be
16 construed according to the common and approved usage of the language; and

17 WHEREAS, the common and approved usage of "improvement" is "to make
18 something better"; and

19 WHEREAS, the broad definition of the term would allow private actors to utilize the
20 exception and charge tolls simply for "making things better"; and

21 WHEREAS, something as simple as picking up trash could be considered an
22 "improvement" pursuant to R.S. 48:2084.5(A) and thus allow a private actor to charge a toll
23 or user fee to Louisiana citizens for picking up a few pieces of litter; and

24 WHEREAS, considering the potential economic effects of implementing a toll or
25 user fee in this state, the exception is overly broad and would allow private actors to
26 fundamentally change aspects of Louisiana's economy and the daily lives of Louisiana
27 citizens with minimal investment, and those changes could last far into the future.

28 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana hereby suspends
29 that portion of R.S. 48:2084.5(A) relative to the exception that allows a private entity to

1 impose tolls or user fees on any existing free road or system of roads, bridge, tunnel, or
2 overpass, if the road or system of roads, bridge, tunnel, or overpass is improved or expanded.

3 BE IT FURTHER RESOLVED that this suspension shall become effective upon
4 adoption of this Resolution and shall extend through the sixtieth day after final adjournment
5 of the 2023 Regular Session of the Legislature of Louisiana.

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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Farnum

Suspends a portion of law that allows a private entity to impose tolls or user fees on any existing free road or system of roads, bridge, tunnel, or overpass, if the road or system of roads, bridge, tunnel, or overpass is improved or expanded.

(Suspends portion of R.S. 48:2084.5(A))