

2015 Regular Session

HOUSE BILL NO. 582

BY REPRESENTATIVE ADAMS

RAILROADS: Provides for the collection of fees for the Public Service Commission for its participation in the State Rail Safety Participation Program

1 AN ACT

2 To enact R.S. 45:563, relative to railroad safety fees; to provide for the collection of fees for
3 the Public Service Commission for its participation in the State Rail Safety
4 Participation Program; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 45:563 is hereby enacted to read as follows:

7 §563. Railroad safety fees

8 A. The commission may adopt rules and regulations for the purpose of
9 assessing reasonable user fees to be imposed annually against railroad companies
10 operating within the state of Louisiana.

11 B. The total amount of fees estimated to be collected pursuant to this Section
12 shall not exceed the amount estimated by the commission to be necessary to recover
13 the costs of implementing the Federal Railroad Safety Act of 1970.

14 C. In adopting a fee structure, the commission may consider the gross ton
15 miles for railroad operations within the state of Louisiana to provide for an equitable
16 allocation. Railroad companies operating in this state shall provide the commission
17 all information necessary to determine an equitable fee structure.

18 D. The railroad safety fees authorized by this Section shall be collected by
19 the Department of Revenue for the Public Service Commission. The Department of

1 Revenue shall deposit such funds immediately upon receipt into the state treasury.
2 After compliance with the requirements of Article VII, Section 9(B) of the
3 Constitution of Louisiana relative to the Bond Security and Redemption Fund, and
4 prior to monies being placed in the state general fund, an amount equal to that
5 deposited as required by this Subsection shall be credited to a special fund hereby
6 created in the state treasury to be known as the "Commission Rail Safety Fund". The
7 monies in this fund shall be used for the expenses of the operations of the
8 commission in its administration of this program.

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 582 Original

2015 Regular Session

Adams

Abstract: Provides for the collection of fees for the Public Service Commission for its participation in the State Rail Safety Participation Program.

Proposed law authorizes the commission to adopt rules and regulations for the purpose of assessing reasonable user fees to be imposed annually against the railroad companies operating within the state of La.

Proposed law requires the total amount of fees estimated to be collected not exceed the amount estimated by the commission to be necessary to recover the costs of implementing the Federal Railroad Safety Act of 1970.

Proposed law authorizes the commission to consider the gross ton miles for railroad operations within La. to provide for an equitable allocation. Further requires railroad companies operating in La. to provide the commission all information necessary to determine an equitable fee structure.

Proposed law requires the railroad safety fees be collected by the Dept. of Revenue. Further requires all funds received by the department in the form of railroad safety fees be deposited immediately upon receipt into the state treasury. Provides that after compliance with the requirements of the state constitution relative to the Bond Security and Redemption Fund, and prior to monies being placed in the state general fund, an amount equal to the fees required to be deposited be credited to a special fund known as the "Commission Rail Safety Fund". Further requires the monies in such fund be used for the expenses of the operations of the commission in its administration of this program.

(Adds R.S. 45:563)