

SENATE SUMMARY OF HOUSE AMENDMENTS**SB 408****2018 Regular Session****Appel****KEYWORD AND SUMMARY AS RETURNED TO THE SENATE**

SPECIAL DISTRICTS. Provides for authority of the Public Belt Railroad Commission. (gov sig)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Adds prohibitions against leaving a train, locomotive, or railroad car unsecured, either for 18 consecutive hours or at any time between the hours of 8 pm and 6 am and penalties for violations.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

SB 408 Reengrossed

2018 Regular Session

Appel

Present law provides for the city of New Orleans to continue the operation of a public belt railroad by and through a commission known as the Public Belt Railroad Commission for the city of New Orleans.

Present law provides for nine members to serve on the commission who are appointed by the mayor of the city of New Orleans, and all shall be confirmed by the governing authority of the city of New Orleans.

Present law authorizes the commission to contract with other firms or corporations either public or private, or local governmental subdivisions or political subdivisions, or state agencies, for the operation, management and development of the public belt railroad system if in the best interest of the city of New Orleans and the Port of New Orleans.

Present law authorizes the transfer of the public belt railroad system upon the recommendation of the commission and the determination by the council of the city of New Orleans that the interests of the state of Louisiana, the city of New Orleans and the Port of New Orleans would best be served if owned and/or operated by another firm or corporation.

Present law provides for the city of New Orleans, by and through the Public Belt Railroad Commission to continue to own, maintain, and operate the Huey P. Long Bridge in Jefferson Parish, Louisiana.

Present law authorizes the city of New Orleans to issue, upon recommendation of the public belt railroad commission, bonds known as New Orleans Public Belt Railroad Bonds, in a sum not to exceed \$5,000,000.00 to be used for the development, extensions, additions, betterments, and construction of the public belt railroad system.

Proposed law creates the New Orleans Port Gateway Railroad Board (railroad board).

Proposed law provides for the railroad board to be composed of a Board of Commissioners who shall be the individuals comprising the Board of Commissioners of the Port of New Orleans. Proposed law further prohibits a director, attorney, officer, or employee of any other rail carrier to ever be a member of the board of the railroad board.

Proposed law provides that the primary and specific purpose of the railroad board is to promote economic growth and development in trade and commerce within the areas served by the Port of New Orleans through operation of a neutral switching and terminal railroad.

Proposed law prohibits leaving a train, locomotive, or railroad car unsecured, either for 18 consecutive hours or at any time between the hours of 8 pm and 6 am, within the jurisdiction of the railroad board in Orleans Parish. Provides that a train, locomotive, or railroad car is considered unsecured if left in an area that is not enclosed within a fence or other barrier with locked gates or doors to prevent unauthorized entry and trespass into the area and is not either continuously occupied or observed in person by the owner, lessee, operator, or port and harbor police or continuously observed through real time live video monitoring by the port and harbor police. Provides that real time live monitoring cover the entirety of the outside of the train, locomotive, or railroad car, including all cars and sides of cars, and include an in person police response time within ten minutes of the location of the train, locomotive, or railroad car. Provides a fine of not less than \$100 nor more than \$500 for violations and for enforcement by state police.

Proposed law authorizes the transfer of assets by the city of New Orleans through the Public Belt Railroad Commission, with the approval of the council of the city of New Orleans, which includes the Huey P. Long Bridge in Jefferson Parish, Louisiana.

Proposed law provides for the railroad board to be the successor in every way to the New Orleans Public Belt Railroad Corporation.

Proposed law repeals the provisions in present law which authorizes the city of New Orleans to issue, upon recommendation of the Public Belt Railroad Commission, bonds known as New Orleans Public Belt Railroad Bonds, in a sum not to exceed \$5,000,000.00 to be used for the development, extensions, additions, betterments, and construction of the public belt railroad system.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 33:4530 - 4532; adds R.S. 33:4534 - 4537; repeals R.S. 33:4533)

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