
DIGEST

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HB 369 Engrossed

2019 Regular Session

Pierre

Abstract: Creates the La. Trucking Research and Education Council.

Proposed law creates the La. Trucking Research and Education Council and establishes its domicile as Baton Rouge, La.

Proposed law specifies that the council is to be composed of 13 members who serve terms concurrent with the governor, as follows:

- (1) The La. Motor Transport Assoc. must submit the names of 12 trucking industry representatives and the governor must appoint 8 persons from those nominees.
- (2) The superintendent of the La. State Police, or his designee.
- (3) The state superintendent of education, or his designee.
- (4) The secretary of the La. Dept. of Transportation and Development, or his designee.
- (5) The chairman of the Board of Supervisors of the La. Community and Technical College System, or his designee.
- (6) The secretary of the La. Workforce Commission, or his designee.

Proposed law requires that the council meet immediately following their appointment and elect a chairman, vice chairman, and a secretary-treasurer from the trucking industry representative members, whose duties must be those customarily exercised by such officers or specifically designated by the council.

Proposed law authorizes the council to disqualify any appointed member for cause, including excessive absences from meetings, and clarifies that any vacancy must be filled by a majority vote of the council from a list of two names submitted by the La. Motor Transport Assoc.

Proposed law specifies that the council must establish rules and regulations for its own government and the administration of its affairs.

Proposed law specifies that the council is subject to the Public Records Law and the Open Meetings Law.

Proposed law authorizes the council to exercise powers necessary, pertinent, convenient, or incidental to carrying out its purposes, including but not limited to the following:

- (1) To develop programs and projects to carry out the purpose of the council, including but not limited to enhancing safety and training, providing for research and development, and educating the public.
- (2) To provide for the payment of all council costs with funds collected pursuant to proposed law.
- (3) To coordinate council activities with the industry associations and others, as appropriate, to provide efficient delivery of services and avoid unnecessary duplication of efforts and activities.
- (4) To contract with any public or private person, partnership, association, or corporation to carry out the purpose of the council.
- (5) To apply for, receive, and accept grants, loans, advances, and contributions from any source of money, property, labor, or other things of value, to be held, used, and applied for council purposes.
- (6) To enter into cooperative endeavor agreements with the La. Motor Transport Assoc. Foundation or its successor entity, a nonprofit corporation, for the use of staff and resources to carry out the powers and duties of the council.

Proposed law requires that the surcharge imposed and levied at the rate of 3% on all single-trip special permits fees, as provided in present law, be paid in addition to and simultaneous with any special permit fee.

Proposed law requires that the surcharge be collected by the secretary of the La. Dept. of Transportation and Development at the issuance of any special permit and requires that the gross amount collected be paid by the secretary to the council on a quarterly basis.

Proposed law requires that the quarterly payments be made on or before the 15th day of the succeeding quarter accompanied by a complete audit of all funds collected.

Proposed law requires that the surcharge imposed and levied at the rate of 3% on all Class 1 registration fees for trucks and trailers in excess of 23,999 lbs, as provided in present law, be paid in addition to and simultaneous with any special permit fee.

Proposed law requires that the surcharge be collected by the commissioner of the Dept. of Public Safety and Corrections, office of motor vehicles, at the issuance of any annual registration or license tax and requires that the gross amount collected be paid by the commissioner to the council on a quarterly basis.

Proposed law requires the quarterly payments be made on or before the 15th day of the succeeding quarter accompanied by a complete audit of all funds collected.

(Adds R.S. 32:691-694)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Clarify that the council may enter into cooperative endeavor agreements with the La. Motor Transport Assoc. Foundation.
2. Clarify that the surcharge imposed and levied in present law is applicable to registration fees for Class 1 trucks and trailers in excess of 23,999 lbs.
3. Remove the requirement that the Dept. of Transportation and Development, office of multimodal commerce, provide staff support for the council until a cooperative endeavor agreement is finalized.
4. Make technical changes.