

2019 Regular Session

HOUSE BILL NO. 217

BY REPRESENTATIVE LEGER

FEES/LICENSES/PERMITS: Increases certain special permit fees and dedicates the proceeds of the fee increase into the Construction Subfund of the Transportation Trust Fund

1 AN ACT

2 To amend and reenact R.S. 32:387(H)(2)(a), (b), and (c)(i) and (iv), and (J)(2), to enact R.S.
3 32:387(H)(2)(d), and to repeal R.S. 32:387(J)(3), relative to special permit fees; to
4 provide with respect to the issuance of special permit fees; to increase the amount
5 of the permit fees; to provide for the dedication of a certain portion of the fees; to
6 provide for the application requirements for special permits; to provide for an
7 effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 32:387(H)(2)(a), (b), and (c)(i) and (iv), and (J)(2) are hereby
10 amended and reenacted and R.S. 32:387(H)(2)(d) is hereby enacted to read as follows:

11 §387. Special permits

12 * * *

13 H. Special permit fees.

14 * * *

15 (2) Fees for an overweight permit shall be as set forth in the following
16 schedules:

17 (a) This schedule is for three types of vehicles:

1 (i) Vehicles and combinations of vehicles which do not exceed the legal
2 gross weight, but which exceed the legal axle weight on one to three single or
3 individual axles or on tandem, tridum, or quadrum axles, including the steering axles.

4 (ii) Vehicles or combinations of vehicles which have two or three single or
5 individual axles total and which exceed both their legal gross weight and legal axle
6 weight.

7 (iii) Off-road equipment with two to four single or individual axles, or
8 tandem, or tridum axles.

9 PERMIT FEE DOLLARS

10 <u>EXCESS WEIGHT</u>	11 <u>DISTANCE IN MILES</u>				
12 <u>POUNDS</u>	<u>0-50</u>	<u>51-100</u>	<u>101-150</u>	<u>151-200</u>	<u>OVER 200</u>
13 0-10,000	\$ 20.00 <u>30.00</u>	\$ 30.00 <u>45.00</u>	\$ 35.00 <u>52.50</u>	\$ 45.00 <u>67.50</u>	\$ 55.00 <u>82.50</u>
14 10,001-20,000	35.00 <u>52.50</u>	65.00 <u>97.50</u>	90.00 <u>135.00</u>	115.00 <u>172.50</u>	140.00 <u>210.00</u>
15 20,001-30,000	55.00 <u>82.50</u>	100.00 <u>150.00</u>	140.00 <u>210.00</u>	185.00 <u>277.50</u>	230.00 <u>345.00</u>
16 30,001-40,000	70.00 <u>105.00</u>	135.00 <u>202.50</u>	195.00 <u>292.50</u>	255.00 <u>382.50</u>	315.00 <u>472.50</u>
17 40,001-50,000	90.00 <u>135.00</u>	170.00 <u>255.00</u>	245.00 <u>367.50</u>	325.00 <u>487.50</u>	405.00 <u>607.50</u>
18 50,001-60,000	105.00 <u>157.50</u>	205.00 <u>307.50</u>	300.00 <u>450.00</u>	395.00 <u>592.50</u>	490.00 <u>735.00</u>

18 Over 60,000--~~\$10.00~~ \$15.00 permit fee plus ~~\$0.07~~ \$0.10 per ton-mile will be charged

19 (b) This schedule is for combinations of vehicles with four single or
20 individual axles including the steering axle.

21 FOUR AXLES, INCLUDING STEERING AXLE:

22 PERMIT FEE DOLLARS

23 <u>GROSS WEIGHT</u>	24 <u>DISTANCE IN MILES</u>				
25 <u>POUNDS</u>	<u>0-50</u>	<u>51-100</u>	<u>101-150</u>	<u>151-200</u>	<u>OVER 200</u>
26 66,001-80,000	\$ 20.00 <u>30.00</u>	\$ 35.00 <u>52.50</u>	\$ 45.00 <u>67.50</u>	\$ 60.00 <u>90.00</u>	\$ 70.00 <u>105.00</u>
27 80,001-90,000	45.00 <u>67.50</u>	75.00 <u>112.50</u>	110.00 <u>165.00</u>	145.00 <u>217.50</u>	175.00 <u>262.50</u>

28 (c)(i) This schedule is for combinations of vehicles with five or more single
29 or individual axles, or tandem, or tridum axles, including the steering axle, where the
gross weight exceeds eighty thousand pounds.

1 FIVE OR MORE AXLES INCLUDING STEERING AXLE
 2 WHERE GROSS WEIGHT EXCEEDS 80,000 POUNDS
 3 PERMIT FEE DOLLARS

4 <u>GROSS WEIGHT</u>	5 <u>DISTANCE IN MILES</u>					
6 <u>POUNDS</u>	<u>0-50</u>	<u>51-100</u>	<u>101-150</u>	<u>151-200</u>	<u>OVER 200</u>	
7 80,001-100,000	\$ 30.00 <u>45.00</u>	\$ 45.00 <u>67.50</u>	\$ 65.00 <u>97.50</u>	\$ 80.00 <u>120.00</u>	\$ 100.00 <u>150.00</u>	
8 100,001-108,000	50.00 <u>75.00</u>	95.00 <u>142.50</u>	135.00 <u>202.50</u>	180.00 <u>270.00</u>	220.00 <u>330.00</u>	
9 108,001-120,000	70.00 <u>105.00</u>	130.00 <u>195.00</u>	190.00 <u>285.00</u>	250.00 <u>375.00</u>	310.00 <u>465.00</u>	
10 120,001-132,000	90.00 <u>135.00</u>	170.00 <u>255.00</u>	250.00 <u>375.00</u>	330.00 <u>495.00</u>	415.00 <u>622.50</u>	
11 132,001-152,000	120.00 <u>180.00</u>	225.00 <u>337.50</u>	335.00 <u>502.50</u>	445.00 <u>667.50</u>	555.00 <u>832.50</u>	
12 152,001-172,000	155.00 <u>232.50</u>	295.00 <u>442.50</u>	440.00 <u>660.00</u>	585.00 <u>877.50</u>	730.00 <u>1095.00</u>	
13 172,001-192,000	190.00 <u>285.00</u>	365.00 <u>547.50</u>	545.00 <u>817.50</u>	725.00 <u>1087.50</u>	905.00 <u>1357.50</u>	
14 192,001-212,000	225.00 <u>337.50</u>	435.00 <u>652.50</u>	650.00 <u>975.00</u>	865.00 <u>1297.50</u>	1080.00 <u>1620.00</u>	
15 212,001-232,000	260.00 <u>390.00</u>	505.00 <u>757.50</u>	755.00 <u>1132.50</u>	1005.00 <u>1507.50</u>	1250.00 <u>1875.00</u>	
16 232,001-254,000	295.00 <u>442.50</u>	575.00 <u>862.50</u>	860.00 <u>1290.00</u>	1145.00 <u>1717.50</u>	1420.00 <u>2130.00</u>	

16 * * *

17 (iv) OVER 254,000 -- ~~\$10.00~~ \$15.00 permit fee, plus ~~\$0.50~~ \$0.75 per ton-
 18 mile of weight in excess of 80,000 pounds, plus a fee for structural evaluation based
 19 on the following schedule:

20 (aa) ~~\$125.00~~ \$187.50 -- for evaluation of treated timber, concrete slab, and
 21 precast concrete slab bridge.

22 (bb) ~~\$850.00~~ \$1,275.00 -- for evaluation of truss, continuous span, and
 23 movable bridges and for all Mississippi River structures.

24 (cc) ~~\$500.00~~ \$750.00 -- for all other structures.

25 (d) After compliance with the requirements of Article VII, Section 9(B) of
 26 the Constitution of Louisiana relative to the Bond Security and Redemption Fund,
 27 any revenues collected by the secretary for issuance of permits pursuant to this
 28 Paragraph in excess of twenty million dollars in a fiscal year shall be paid into the
 29 state treasury for deposit into the Construction Subfund of the Transportation Trust

1 Fund pursuant to the requirements of Article VII, Section 27(B)(2) of the
2 Constitution of Louisiana.

3 * * *

4 J. Notwithstanding other provisions of this Subpart or other provisions of
5 law to the contrary, vehicles hauling prepackaged products in international trade
6 originating from or destined to an intermodal facility, which are containerized in
7 such a manner as to make subdivision thereof impractical, shall be authorized special
8 container permits. For the purposes of this Subsection, the contents of a sealed
9 container being used in international trade in conjunction with a maritime shipment
10 shall be considered indivisible. The special container permits shall be subject to the
11 following provisions:

12 * * *

13 (2)(a) Upon application of the owner or operator of any vehicle transporting
14 sealed intermodal containers ~~within a fifty-mile radius of a statutorily defined port~~
15 ~~or harbor district~~, the secretary shall issue a Class II Ocean Container Permit for the
16 transportation of such containers with the gross vehicle weight limitation not to
17 exceed ninety-five thousand pounds and the axle weight not to exceed ~~twenty~~
18 twenty-two thousand pounds per axle ~~provided the rear axle set is in tridem~~. The
19 applicant shall indicate on the application the vehicle identification number of the
20 vehicle for which the permit shall be issued. The annual fee for the permit shall be
21 ~~five hundred~~ seven hundred fifty dollars per vehicle. The secretary may establish
22 routes for any owner or operator who receives a permit. The secretary may revoke
23 the permit of any owner or operator that fails to adhere to the route designated by the
24 secretary. If the vehicle for which the permit is issued is no longer usable by the
25 owner or operator, the permit may be transferred to the replacement vehicle.
26 However, such transfer shall be authorized only one time during the year for which
27 the permit is in effect.

28 (b) ~~The provisions of this Paragraph limiting the transportation of sealed~~
29 ~~intermodal containers within a fifty-mile radius of a statutorily defined port or harbor~~

1 ~~district shall not apply to vehicles transporting such containers within a fifty-mile~~
 2 ~~radius of the Interstate Ten Twin Span Bridge, until such time as the Interstate Ten~~
 3 ~~Twin Span Bridge is opened to owners or operators of any vehicle transporting~~
 4 ~~sealed intermodal containers.~~ After compliance with the requirements of Article VII,
 5 Section 9(B) of the Constitution of Louisiana relative to the Bond Security and
 6 Redemption Fund, two hundred fifty dollars of the fee collected by the secretary for
 7 the issuance of permits pursuant to this Paragraph shall be paid into the state treasury
 8 for deposit into the Construction Subfund of the Transportation Trust Fund pursuant
 9 to the requirements of Article VII, Section 27(B)(2) of the Constitution of Louisiana.

10 * * *

11 Section 2. R.S. 32:387(J)(3) is hereby repealed in its entirety.

12 Section 3. This Act shall become effective on January 1, 2020.

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 217 Reengrossed	2019 Regular Session	Leger
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Abstract: Increases single trip permit fees by 50% and the annual permit fee for the transport of ocean containers from \$500 to \$750, dedicates the increased revenues into the Construction Subfund of the Transportation Trust Fund (TTF), and broadens the application requirements of the ocean container permits.

Present law authorizes the issuance of special overweight permits for vehicles, combination of vehicles, and off-road equipment for single trips. The amount of the special overweight permit varies depending on the weight of the vehicle and the distance traveled. Present law requires the entire permit fee for single trip overweight vehicles to be deposited into the TTF.

Proposed law increases the fee for issuance of special overweight permits by 50% for single trips and dedicates all revenues annually collected over \$20 million to the Construction Subfund of the TTF.

Present law authorizes the issuance of special container permit fees for vehicles hauling pre-packaged products in international trade originating from or destined to an intermodal facility. Present law further limits the axle weight to 20,000 lbs. per axle provided the rear axle set is in tridem for intermodal containers that are required to apply for a permit.

Proposed law increases the axle weight from 20,000 lbs. to 22,000 lbs. per axle and removes the requirement that the rear axle set is in tridem for intermodal containers.

Present law limits the applications for permits to owners or operators of a vehicle transporting sealed intermodal containers within a 50 mile radius of a port or harbor district.

Proposed law removes this limitation.

Present law requires an annual permit fee of \$500 for transportation of Class II Ocean containers and requires the entire permit fee amount be deposited into the TTF.

Proposed law increases the annual permit fee for transportation of Class II Ocean containers from \$500 to \$750 and dedicates \$250 of the permit fee to the Construction Subfund of the TTF.

Proposed law authorizes the secretary to establish routes for any owner or operator who receives a permit. Proposed law further authorizes the secretary to revoke the permit if the owner or operator fails to adhere to the route designated by the secretary.

Present law exempts vehicles transporting Class II ocean containers and liquid bulk containers within a 50 mile radius of the I-10 Twin Span Bridge until the I-10 Twin Span Bridge is open to vehicles transporting sealed intermodal containers. Present law requires vehicles transporting liquid bulk containers within a 50 miles radius of a port or harbor district to apply for a permit, with the gross vehicle weight limitation of 95,000 lbs. and axle weight of 20,000 lbs. set per axle provided the rear axle set is in tridem. The annual fee for the permit is \$200 per vehicle.

Proposed law repeals present law.

Effective date Jan. 1, 2020.

(Amends R.S. 32:387(H)(2)(a), (b), and (c)(i), and (iv), and (J)(2); Adds R.S. 32:387(H)(2)(d); Repeals R.S. 32:387(J)(3))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Authorize the secretary to establish routes for any owner or operator who receives a permit and to revoke the permit of any owner or operator that fails to adhere to the route designated by the secretary.