

2022 Regular Session

SENATE BILL NO. 482

BY SENATOR CLOUD

ROADS/HIGHWAYS. Provides relative to entrances and exits near highways. (8/1/22)

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AN ACT

To amend and reenact R.S. 48:344, relative to entrances and exits near highways; to provide for an appeals process; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 48:344 is hereby amended and reenacted to read as follows:

§344. Entrances and exits adjacent to highways

A. Entrances to and exits from private properties adjacent to the rights-of-way of state highways may be regulated, prohibited, or abolished in the interest of the safety of the traveling public. The chief engineer of the Department of Transportation and Development, from time to time, shall prepare and promulgate descriptions and illustrations of various types and styles of entrances and exits consistent with this purpose Section pursuant to the Administrative Procedure Act and shall issue permits of necessity and convenience for the installation of entrances and exits in accordance with its promulgated regulations and standards.

B.(1) An access connection permit shall be granted or denied within forty-five days from receipt of the preliminary access connection request form. If an access connection permit is not granted or denied within this time period,

1 it shall be considered granted and the development may proceed as requested.

2 (2) An access connection permit shall be granted or denied within thirty
3 days from receipt of the preliminary access connection request form if the
4 property owner provides the department with actual field measurements for
5 sight distance and sight obstructions. If an access connection permit is not
6 granted or denied within this time period, it shall be considered granted and the
7 development may proceed as requested.

8 (3) The department shall not require more than one traffic study or
9 drainage study to be completed by the property owner requesting the access
10 connection permit.

11 (4) An access connection permit may be granted subject to stipulations
12 that the property owner will not proceed with the development until such time
13 that the permit is endorsed by the parish or municipality, or both.

14 (5) An access connection permit shall allow for department-required
15 alterations or improvements to be constructed as phases of the development are
16 constructed.

17 (6) In determining the issuance of access connection permits, the
18 department shall take into account economic benefits of the development when
19 traffic conditions are not optimum.

20 C. The department may apply to the courts ~~for such process as may be~~
21 necessary to make the provisions of this Section effective.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Archana Cadge.

SB 482 Original

DIGEST
2022 Regular Session

Cloud

Present law provides that the chief engineer of the Dept. of Transportation and Development, must prepare and promulgate descriptions and illustrations of various types and styles of entrances and exits consistent with this purpose and shall issue permits of necessity and convenience for the installation of entrances and exits in accordance with its promulgated regulations and standards.

Proposed law retains present law and requires that the promulgation of these items be done pursuant to the Administrative Procedure Act.

Proposed law requires that an access connection permit be granted or denied within 45 days from receipt of the preliminary access connection request form.

Proposed law further provides if the access connection permit is not granted or denied within a determined time period it will be considered granted and development may proceed as requested.

Proposed law requires that an access connection permit be granted or denied within 30 days from receipt of the preliminary access connection request form if the property owner provides the department with actual field measurements for sight distance and sight obstructions.

Proposed law further provides if an access connection permit is not granted or denied within this time period, the permit will be considered granted and the development may proceed as requested.

Proposed law provides the Dept. of Transportation and Development shall not require more than one traffic study or drainage study to be completed by the property owner requesting the access connection permit.

Proposed law provides that an access connection permit may be granted subject to stipulations that the property owner will not proceed with development until such time that the permit is endorsed by the parish or municipal, or both.

Effective August 1, 2022.

(Amends R.S. 48:344)