

2024 Regular Session

HOUSE BILL NO. 544

BY REPRESENTATIVE BOYD

TRANSPORTATION: Provides relative to the Regional Transit Authority

1 AN ACT

2 To amend and reenact R.S. 48:1655(A)(1)(a) and (b) and (2) and 1656(8) and (23) and to
3 enact R.S. 48:1656(24) through (26) and 1656.1, relative to the Regional Transit
4 Authority Board of commissioners requirements; to provide for certain powers and
5 authority; to provide for the creation of an advisory board to advise and make
6 recommendations to the authority; to provide for penalties; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 48:1655(A)(1)(a) and (b) and (2) and 1656(8) and (23) are hereby
10 amended and reenacted and R.S. 48:1656(24) through (26) and 1656.1 are hereby enacted
11 to read as follows:

12 §1655. Board of commissioners; membership; terms

13 A.(1) The board of commissioners of the authority shall be composed of
14 three members from each participating parish appointed by the chief executive
15 officer of that parish, subject to the approval of its governing authority, and two
16 members appointed by the chief executive officer of the parish with the greatest
17 percentage of public transit revenue operating miles from recommendations of the
18 legislative delegation of that parish as follows:

19 (a) One member shall be appointed from House District 102 by the state
20 representative representing the district. ~~a list of four names submitted by the~~
21 ~~senators from that parish's legislative delegation, and~~

1 (b) One member shall be appointed from Senate District 7 by the state
2 senator representing the district. ~~a list of six names submitted by the representatives~~
3 ~~of that parish's legislative delegation.~~

4 * * *

5 (2) Each member appointed by the chief executive officer of a parish shall
6 be domiciled within the parish. Further, each member appointed to the authority by
7 the council or parish legislator shall possess the minimum transit expertise standards
8 and required training and previous union experience. The transit minimum standards
9 shall be established by the board commissioners by January 1, 2025 and shall then
10 apply to all newly appointed commissioners. The city council has the ability to
11 confirm and recall board members.

12 * * *

13 §1656. General powers

14 The authority shall have all powers necessary or convenient to accomplish
15 the aforesaid purposes, including but not limited to the following:

16 * * *

17 (8) The power to make and execute all contracts and other instruments
18 necessary or convenient to the exercise of the powers of the authority, including the
19 power to contract for managerial and operating services, provided that management
20 and labor attempt to resolve all contracts bilaterally before involving a mediator.

21 * * *

22 (23) The power to require quarterly reporting of the Regional Transit
23 Authority funds and functioning.

24 (24) The power to establish and address situations where the Regional
25 Transit Authority violates state and city laws and establish penalties.

26 (25) The power to establish an investigative committee for the following:
27 probe waste, bid rigging, abuse of employees, and labor law violations.

28 (26) Notwithstanding the provisions of any other law to the contrary,
29 including the provisions of R.S. 45:161 et seq., the authority created herein and any

1 entity contracted to manage or operate the authority shall not be deemed a "person"
2 as defined in R.S. 45:162 or a "common carrier" as defined in R.S. 45:162 nor shall
3 the authority or any entity contracted to manage or operate the authority be construed
4 or interpreted to be such. Additionally, the authority and any entity contracted to
5 manage or operate the authority shall not be deemed to be a common carrier, or
6 interpreted to be such by any court of this state in a suit for personal injury or
7 property damage.

8 §1656.1. The Regional Transit Authority Advisory Board; creation; composition;
9 powers

10 A. The Regional Transit Authority Advisory Board, hereinafter referred to
11 as the "advisory board", is hereby created to assist the Regional Transit Authority
12 and shall have the purpose, composition, duties, and functions provided in this
13 Section.

14 B.(1) The purpose of the advisory board is to advise and make
15 recommendations to the Regional Transit Authority in making informed decisions
16 regarding the functions outlined in R.S. 48:1654(B).

17 (2) The advisory board shall not have the power to vote on any matters to be
18 decided by the board of commissioners.

19 (3) The advisory board shall be required to meet quarterly with the board of
20 commissioners.

21 C. The advisory board shall be composed of nine persons as follows:

22 (1) An employee of the Regional Transit Authority appointed by the chief
23 executive officer.

24 (2) A member of the Amalgamated Transit Union appointed by the President
25 and Business agent.

26 (3) A member from the Downtown Development District appointed by the
27 executive director.

1 (4) Each president of the following universities: Loyola University, Tulane
 2 University, Xavier University, Dillard University, Southern University at New
 3 Orleans, and the University of Holy Cross.

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 544 Engrossed

2024 Regular Session

Boyd

Abstract: Provides relative to the membership and certain powers of the Regional Transit Authority Board. Creates the Regional Transit Authority Advisory board and provides for its purpose, composition, and powers.

Present law requires the board of commissioners of the authority be composed of three members from each participating parish appointed by the chief executive officer of that parish, subject to the approval of its governing authority.

Present law specifies that each member appointed by the chief executive officer of a parish must be domiciled within that parish.

Present law requires that one member be appointed from House District 102 by the state representative representing the district. Further requires, one member be appointed from Senate District 7 by the state senator representing the District.

Proposed law adds additional qualifications to present law for the board of commissioners and members. Specifies that each member appointed must possess minimum transit expertise standards, the required training, and have previous union experience. Further specifies that the transit minimum standards be established by Jan. 1, 2025, and will apply to all newly appointed commissioners. Grants the City Council of New Orleans authority to recall and confirm members of the board.

Present law grants authority to make and execute all contracts and other instruments necessary or convenient, including the power to contract for managerial and operating services.

Proposed law makes authority in present law contingent on management and labor attempting to resolve all contracts bilaterally before involving a mediator.

Proposed law specifies that quarterly reporting of the Regional Transit Authority (RTA) funds is required, and establishes penalties for when the RTA breaks city and state laws.

Proposed law provides the power to establish and address situations where the RTA violates state and city laws and establish penalties.

Proposed law gives the authority the power to probe waste, bid rigging, abuse of employees, and labor law violations.

Proposed law creates the Regional Transit Authority Advisor board and provides for its purpose, composition, and powers.

Proposed law specifies that the advisory board is created to assist and advise the RTA and make recommendations to make informed decisions regarding the functions outlined in present law.

Proposed law specifies that the advisory board does not have the power to vote on any matters decided on by the board of commissioners. Further specifies that the advisory board is to meet quarterly with the board of commissioners.

Proposed law requires the advisory board be composed of nine persons as follows:

- (1) An employee of the Regional Transit Authority appointed by the chief executive officer.
- (2) A member of the Amalgamated Transit Union appointed by the President/Business agent.
- (3) A member from the Downtown Development District appointed by the executive director.
- (4) Each president of the following universities: Loyola University, Tulane University, Xavier University, Dillard University, Southern University at New Orleans, and the University of Holy Cross

(Amends R.S. 48:1655(A)(1)(a) and (b) and (2) and 1658(8) and (23); Adds R.S. 48:1656(24)-(26) and 1656.1)

Summary of Amendments Adopted by House

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

1. Make technical changes.
2. Revert back to present law by changing the approval authority from the city council to the parish's governing authority.
3. Remove the two members to be appointed from submissions by the parish's legislative delegation.
4. Add two members to the Regional Transit Authority board of commissioners as follows: (a) one member appointed from House District 102 by the state representative who represents the district and (b) one member appointed from Senate District 7 by the state senator who represents the district.
5. Add a requirement that each member appointed to the authority possess previous union experience.
6. Remove a provision that would have required the powers of the Regional Transit Authority board of commissioners to include at least one designated representative from the authority's non-management labor force.