

Regular Session, 2012

HOUSE BILL NO. 421

BY REPRESENTATIVE ST. GERMAIN

TRANSPORTATION DEPT: Provides for effective date of rules promulgated by DOTD

1 AN ACT

2 To amend and reenact R.S. 32:2(A)(2), relative to rules and regulations; to provide for the  
3 effective date of certain rules promulgated by the Department of Transportation and  
4 Development; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 32:2(A)(2) is hereby amended and reenacted to read as follows:

7 §2. Authority of Department of Transportation and Development

8 A.

9 \* \* \*

10 (2) Any regulation or order promulgated by the ~~department pursuant to the~~  
11 ~~authority granted by this Section or by any other provision of law~~ chief engineer  
12 ~~shall become effective when filed with the clerks of court in the parishes in which~~  
13 ~~such regulation is to be effective~~ when published on the official website of the  
14 Department of Transportation and Development, or upon the erection of signs on the  
15 affected highways giving notice thereof. All rules and regulations promulgated by  
16 the department ~~relative to weight enforcement, payment and collection procedures,~~  
17 shall be adopted in accordance with the provisions of the Louisiana Administrative  
18 Procedure Act ~~and Act No. 279 of the 1976 Regular Session of the Louisiana~~  
19 ~~Legislature~~. Such rules and regulations shall be referenced ~~to the sections and/or to~~  
20 the provisions of statutory law which they interpret or apply.

21 \* \* \*

1           Section 2. This Act shall become effective upon signature by the governor or, if not  
2 signed by the governor, upon expiration of the time for bills to become law without signature  
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana.

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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)]

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St. Germain

HB No. 421

**Abstract:** Provides that regulations or orders of DOTD chief engineer shall be effective when published on DOTD's website.

Present law provides that any regulation promulgated by the DOTD shall become effective when filed with the clerks of court in the parishes in which such regulation is to be effective, or upon the erection of signs on the affected highways giving notice thereof. All rules and regulations promulgated by the department relative to weight enforcement, payment, and collection procedures, shall be adopted in accordance with the provisions of the La. Administrative Procedure Act and Act No. 279 of the 1976 R.S. of the La. Legislature.

Proposed law provides that any regulation promulgated by the chief engineer shall become effective when published on the official website of DOTD, or upon the erection of signs on the affected highways giving notice thereof. All rules and regulations promulgated by the department shall be adopted in accordance with the provisions of the La. Administrative Procedure Act.

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

(Amends R.S. 32:2(A)(2))