

Regular Session, 2012

HOUSE BILL NO. 1212 (Substitute for House Bill No. 935 by Representative St. Germain)

BY REPRESENTATIVE ST. GERMAIN

TRANSPORTATION DEPT: Provides relative to the Crescent City Connection Bridge

1 AN ACT

2 To enact R.S. 47:820.5.8, Chapter 2 of Subtitle VIII of Title 47 of the Louisiana Revised
3 Statutes of 1950, to be comprised of R.S. 47:7011 through 7016, and R.S. 48:954,
4 relative to the Department of Transportation and Development; to provide for an
5 election to determine if tolls are collected on the Crescent City Connection Bridge;
6 to provide relative to collection of tolls; to provide relative to the distribution of toll
7 collections; to create a fund; to provide for an advisory body; to provide for ferry
8 fares; to provide for privatization; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 47:820.5.8 is hereby enacted to read as follows:

11 §820.5.8. Toll collection on the Crescent City Connection Bridge; proposition

12 A. The governor shall call an election to be held at the same time as the
13 statewide general election in the parishes of Jefferson, Orleans, and Plaquemines to
14 determine whether tolls shall be collected starting at 12:01 a.m. on January 1, 2013,
15 on the Crescent City Connection Bridge, at the rate currently collected.

16 B. The ballot for the election shall state as follows:

17 "PROPOSITION TO VOTERS IN ORLEANS, JEFFERSON, AND
18 PLAQUEMINES PARISHES

19 Shall a toll be collected for passage over the Crescent City Connection
20 Bridge, at the rate of twenty cents per axle for toll tag users and fifty cents per axle

1 for cash users, with the toll revenue dedicated for the sole purposes of operations,
2 maintenance, landscaping, grass cutting, trash pick up, functional and ornamental
3 lighting, police functions, and capital projects on ingress and egress points to the
4 Crescent City Connection Bridge along US 90 from Broad Street to Nine Mile Point
5 Road?"

6 C.(1) If the question of such toll collection is approved by a majority of the
7 qualified electors voting on the proposition, then tolls shall be collected for passage
8 over the Crescent City Connection Bridge, at the rate of twenty cents per axle for
9 toll tag users and fifty cents per axle for cash users, such collection beginning at
10 12:01 a.m. on January 1, 2013.

11 (2) If a majority of the qualified electors voting on the proposition vote
12 against such proposition, then no such toll shall be collected for passage over the
13 Crescent City Connection Bridge.

14 D. The secretary of state shall prepare the ballot for the election.

15 E. Except as otherwise provided, the election required pursuant to this
16 Section shall be conducted in accordance with the Louisiana Election Code.

17 F. Notwithstanding Chapter 8-A of the Louisiana Election Code, the costs
18 of the election required pursuant to this Section shall be borne by the state.

19 Section 2. Chapter 2 of Subtitle VIII of Title 47 of the Louisiana Revised Statutes
20 of 1950, comprised of R.S. 47:7011 through 7016, is hereby enacted to read as follows:

21 CHAPTER 2. CRESCENT CITY CONNECTION BRIDGE

22 §7011. Collection of tolls on the Crescent City Connection Bridge

23 A. Tolls shall be collected at the rate of twenty cents per axle for toll tag
24 users and fifty cents per axle for cash users for passage over the Crescent City
25 Connection Bridge. Transferrable and nontransferable Automatic Vehicular
26 Identification tags may be sold to patrons at a cost that shall equal and shall not
27 exceed the cost of the issuing entity to purchase the tags for either device. All toll
28 revenue collected pursuant to this Section shall be deposited into the Crescent City

1 Connection Toll Fund provided for in R.S. 47:7014 and used for the sole purposes
2 described therein.

3 B. The Department of Transportation and Development shall collect the toll
4 and issue transferable and nontransferable Automatic Vehicular Identification tags
5 authorized by this Section if and until such time such collection of tolls and issuance
6 tags is transferred or contracted out to another entity.

7 §7012. Crescent City Connection toll violations

8 A. The Department of Transportation and Development may adopt such
9 rules and regulations for the method of taking tolls and enforcing violations and the
10 employment and conduct of toll takers in its discretion may deem necessary.

11 B. Definitions of terms included in R.S. 32:1 apply to terms used in this
12 Section which are not specifically defined in this Subsection. As used in this
13 Section, unless the context otherwise indicates, the following terms shall have the
14 following meanings:

15 (1) "Electronic toll collection" or "ETC" means a system of collecting tolls
16 or charges that is capable of charging an account holder for the appropriate toll by
17 transmission of information between a device on a motor vehicle and a toll collection
18 facility.

19 (2) "Pay" means paying a toll by cash, by permitting a charge against a valid
20 toll tag account with the division, or by another means of payment approved by the
21 department as applicable at the time.

22 (3) "Photo-monitoring system" means a motor vehicle sensor installed to
23 work in conjunction with a toll collection facility that automatically produces a
24 photograph, microphotograph, videotape, or other recorded image of a motor vehicle
25 or trailer when the operator of the motor vehicle or trailer fails to pay a toll.

26 (4) "Registered owner" means a person in whose name a motor vehicle or
27 trailer is registered under the law of a jurisdiction, including a person issued a dealer
28 or transporter registration plate or a lessor of motor vehicles or trailers for public
29 lease.

1 (5) "Toll" or "tolls" means tolls or charges prescribed by law for passage
2 over the Crescent City Connection Bridge.

3 (6) "Toll tag" means the electronic device issued for use with the ETC on the
4 Crescent City Connection.

5 (7) "Valid toll tag account" means an existing toll tag with a balance of not
6 less than forty cents.

7 C. No motor vehicle shall be driven and no motor vehicle or trailer shall be
8 towed through a toll collection facility on the Crescent City Connection without
9 payment of the proper toll. In the event of nonpayment of the proper toll, as
10 evidenced by video or electronic recording, the registered owner of such vehicle or
11 trailer shall be liable to make prompt payment of the proper toll and, in certain
12 circumstances, an administrative fee of twenty-five dollars to recover the cost of
13 collecting the toll.

14 D. A motor vehicle that is not toll-tag equipped may not pass through a
15 dedicated toll-tag lane. A toll-tag equipped motor vehicle that passes through any
16 toll lane incurs a toll, and the account holder shall pay the appropriate toll. Valid toll
17 tag accounts shall not be charged the administrative fee of twenty-five dollars.

18 E. The registered owner is prima facie responsible for the payment of the
19 tolls, administrative fees, and late charges assessed in accordance with this Section,
20 and it is not a defense to liability under this Section that a registered owner was not
21 operating the motor vehicle at the time of the failure to pay. However, if a report
22 that the motor vehicle or trailer was stolen is given to a law enforcement officer or
23 agency before the failure to pay a toll due pursuant to this Chapter occurs or within
24 forty-eight hours after the registered owner becomes aware of the theft, the registered
25 owner shall not be liable under this Section.

26 F. The following procedures shall be taken for the collection of tolls,
27 administrative fees, and late charges under this Section:

28 (1) A violation notice shall be sent by first class mail to a person alleged to
29 be liable as a registered owner at the address shown on the records of the Louisiana

1 Department of Public Safety and Corrections, office of motor vehicles. Multiple
2 violations may be aggregated in one violation notice. A manual or automatic record
3 of the mailing prepared in the ordinary course of business shall be prima facie
4 evidence of the mailing of the notice.

5 (2) The violation notice shall include the name and address of the person
6 alleged to be liable as a registered owner for the failure to pay a toll or tolls under
7 this Section, the amount of the toll or tolls not paid, the registration number of the
8 vehicle or trailer involved, the date and the approximate time of the failure or failures
9 to pay the toll or tolls, the administrative fees due, and such other information
10 deemed appropriate.

11 (3) The violation notice shall also include a warning that the registered
12 owner must pay the toll or tolls and administrative fees stated in the notice or appeal
13 the violation within thirty days after issuance and describe the means and content of
14 the response for payment or appeal. The failure of the registered owner to appeal the
15 violation in the manner provided and within the delays allowed shall be deemed to
16 be an admission of liability and a waiver of available defenses.

17 (4) Within thirty calendar days after the date of the issuance of the violation
18 notice, the registered owner to whom the violation notice is issued must either pay
19 the tolls and administrative fees provided by this Section, send a written dispute by
20 mail as provided by this Section, or request a hearing as provided by this Section.

21 (5) The registered owner may, without waiving the right to a hearing as
22 provided by this Section, and also without waiving judicial review, appeal a violation
23 notice and receive a review and disposition of the violation from a violation clerk by
24 mail. The appeal by mail must contain a signed statement from the registered owner
25 explaining the basis for the appeal. The signed statement may be accompanied by
26 signed statements from witnesses, police officers, government officials, or other
27 relevant parties or photographs, diagrams, maps, or other relevant documents that the
28 registered owner determines to submit. Statements or materials sent to a violation
29 clerk for review must have attached to them the name and address of the registered

1 owner as well as the number of the violation notice and the date of the violation. All
2 information submitted by the registered owner becomes part of the violation record.
3 The violation clerk shall, within sixty days of receipt of such material, review the
4 material and dismiss or uphold the violation and notify the registered owner of the
5 disposition of the hearing in writing by mail. If the appeal by mail is denied, the
6 violation clerk shall explain the reasons for the determination. The violation clerk
7 shall have the authority to waive administrative fees, in whole or in part, for good
8 cause shown.

9 (6) A registered owner issued a violation notice may make a written request
10 for an appeal hearing before a designated agent. The violation clerk shall, within
11 thirty days of receipt of a request for an appeal, notify the registered owner in writing
12 by first class mail of the date, time, and place of the hearing. The hearing shall be
13 informal, the rules of evidence shall not apply, the Administrative Procedure Act
14 shall not apply, and the decision of the agent shall be final, subject to judicial review.
15 The parties to the appeal hearing shall be notified in person or by mail of the decision
16 following the hearing. Each written appeal decision shall contain a statement of
17 reasons for the decision including a determination of each issue of fact necessary to
18 the decision. Failure to appear at the date, time, and place specified on the hearing
19 notice shall automatically result in the denial of the appeal. The hearing agent shall
20 have the authority to waive administrative fees, in whole or in part, for good cause
21 shown.

22 (7) These provisions do not apply to traffic citations and moving violations
23 issued law enforcement personnel.

24 G. Failure to comply with the requirements of this Section shall result in the
25 following late charges or sanctions or both against the registered owner:

26 (1) The following late charges for late payment, failure to pay, or for
27 otherwise failing to respond to a violation notice as provided by this Section may be
28 assessed:

1 (a) A registered owner who fails to pay the administrative fees specified in
2 a violation notice and who fails to appeal a violation notice as provided by this
3 Section within thirty calendar days after the date of the issuance of the violation
4 notice shall incur a late charge of five dollars. The violation clerk shall notify the
5 registered owner by first class mail of this first notice of delinquency.

6 (b) A registered owner who fails to respond to a violation notice as provided
7 by this Section within forty-five calendar days after the date of the issuance of the
8 violation notice shall incur an additional late charge of fifteen dollars. The violation
9 clerk shall notify the registered owner by first class mail of this notice of
10 delinquency.

11 (c) A registered owner who fails to respond to a violation notice as provided
12 by this Section within sixty calendar days after the date of the issuance of the
13 violation notice shall incur an additional late charge of twenty dollars. The violation
14 clerk shall notify the registered owner by first class mail of this notice of
15 delinquency and, in addition, notify the Louisiana office of motor vehicles. Upon
16 notice from a violation clerk, the office of motor vehicles shall place the matter on
17 record and shall not renew the driver's license of the registered owner or the
18 registration of the vehicle until after notice from the violation clerk that the matters
19 have been disposed of in accordance with law.

20 (d) After a notice to the office of motor vehicles provided in Subparagraph
21 (c) of this Paragraph, violation notices or notices of delinquency to registered owners
22 with ten or more toll violations shall not be required to be mailed. However, the tolls
23 and administrative fees of such registered owner shall continue to accumulate.

24 (2) Civil and criminal action may be pursued as appropriate to collect the
25 tolls and administrative fees assessed in the violation notice as well as such
26 subsequent late charges assessed in accordance with this Section.

27 H.(1) A photograph, microphotograph, videotape, or other recorded image
28 produced by a photo-monitoring device is admissible in a proceeding to collect a toll

1 or other charge, to collect criminal penalties imposed, or to impose criminal liability
2 for a failure to pay the toll or charge.

3 (2) An original or facsimile of a certificate, sworn to or affirmed by an agent
4 of the toll collector that states that a failure to pay has occurred and states that it is
5 based upon a personal inspection of a photograph, microphotograph, videotape, or
6 other recorded image produced by a photo-monitoring system, as defined in this
7 Section, is prima facie evidence of the facts contained in the certificate.

8 (3) Notwithstanding any other provision of law to the contrary, a photograph,
9 microphotograph, videotape, or other recorded image prepared for enforcement tolls
10 is for the exclusive use of the Department of Transportation and Development or
11 contracting entity in the discharge of its duties under this Section.

12 I. The Department of Transportation and Development may hire or
13 designate such personnel and organize such sections as the department may deem
14 necessary, or contract for such services, in order to carry out the provisions of this
15 Section.

16 J. The tolls, administrative fees, and any late charges provided by law which
17 are collected shall be deposited into the Crescent City Connection Toll Fund
18 provided for in R.S. 47:7014 and used for the sole purposes described therein.

19 §7013. New Orleans Regional Planning Commission; advisory authority

20 A. The New Orleans Regional Planning Commission shall serve as an
21 advisory body for the collection of tolls on the Crescent City Connection. It shall
22 recommend best practices for operations, maintenance, landscaping, grass cutting,
23 trash pick up, functional and ornamental lighting, and capital projects on ingress and
24 egress points to the Crescent City Connection Bridge along US 90 from Broad Street
25 to Nine Mile Point Road.

26 B. In furtherance of this purpose, the commission shall have access to the
27 accounting of all expenditures, revenues, project priorities, status of ongoing
28 projects, and any other matters which relate to the Crescent City Connection, its
29 operations, and related projects.

1 §7014. Crescent City Connection Toll Fund

2 A. There is hereby created, as a special fund in the state treasury, the
3 Crescent City Connection Fund, hereinafter referred to as the "fund". The source of
4 monies for the fund shall be tolls collected for passage over the Crescent City
5 Connection Bridge, and any administrative fees, and any late charges provided by
6 law which are collected pursuant to R.S. 47:7012.

7 B. After compliance with the requirements of Article VII, Section 9(B) of
8 the Constitution of Louisiana, relative to the Bond Security and Redemption Fund,
9 an amount equal to that deposited into the state treasury from the foregoing sources
10 shall be deposited in and credited to the fund. The monies in the fund shall be
11 invested by the treasurer in the same manner as the state general fund, and interest
12 earnings shall be deposited into the fund. All unexpended and unencumbered
13 monies remaining in the fund at the end of each fiscal year shall remain in the fund.

14 C.(1) Monies in the fund shall be subject to annual appropriation as set forth
15 herein by the legislature for use by the Department of Transportation and
16 Development and the Department of Public Safety and Corrections, public safety
17 services.

18 (2) Funds shall be allocated to and disbursed by Department of Public Safety
19 and Corrections, public safety services, for police functions along the span of the
20 bridge.

21 (3) Funds shall be allocated to and disbursed by the secretary of the
22 Department of Transportation and Development solely for operations, maintenance,
23 landscaping, grass cutting, trash pick up, functional and ornamental lighting, and
24 capital projects on ingress and egress points to the Crescent City Connection Bridge
25 along US 90 from Broad Street to Nine Mile Point Road.

26 (4) No monies in the fund shall be used for any of the following purposes:
27 (a) As a part of the Transportation Trust Fund
28 (b) To operate any office, section, division, or other entity under the
29 authority of the Department of Transportation and Development.

1 (c) To finance, supplement, or in any manner fund any Louisiana
2 Transportation Authority project.

3 (d) To finance, supplement, or in any manner fund any other projects in the
4 state of Louisiana, particularly those contained in Title 47, Part IV, Section 820.1
5 through 820.5, the Transportation Infrastructure Model for Economic Development
6 Account.

7 (e) To finance, supplement, or in any manner fund any ferry operated in the
8 state.

9 §7015. Ferry operation at New Orleans; rates

10 A. Should the ferry service formerly operated by the Crescent City
11 Connection Division of the Department of Transportation and Development not be
12 privatized as allowed pursuant to R.S. 48:25.1, the department shall use best
13 practices and establish and collect fares as follows:

14 (1) A commuter fare for pedestrians of not less than one dollar per each
15 passage.

16 (2) A commuter pass for motor vehicle commuters not less than four dollars
17 per each passage.

18 (3) A tourist rate or non-commuter rate may be set by the department under
19 the direction of the New Orleans Regional Planning Commission pursuant to the
20 authority granted to it pursuant to R.S. 47:7013.

21 (4) All fares collected shall be used solely for ferry operations formerly
22 operated by the Crescent City Connection Division of the Department of
23 Transportation and Development.

24 B. The department is hereby authorized to adjust the fees permitted by this
25 Section annually in accordance with increases in the Consumer Price Index.

26 §7016. Termination

27 The provisions of this Chapter shall be null, void, and of no effect should the
28 majority of the qualified electorate voting in the election provided for in R.S.
29 47:820.5.8, vote not to have tolls collected on the Crescent City Connection Bridge.

1 Section 3. R.S. 48:954 is hereby enacted to read as follows:

2 §954. Crescent City Connection; toll collection, maintenance, operations and other
3 services; privatization

4 A. Notwithstanding any provision to the contrary, the department is hereby
5 authorized to enter into contracts with public or nonpublic entities for the collection
6 of tolls, operations, or maintenance, or all of the aforementioned activities, on the
7 Crescent City Connection Bridge. Operations and maintenance shall include
8 landscaping, grass cutting, trash pick up, and functional and ornamental lighting.

9 B. The department shall hold at least one public meeting in the New Orleans
10 metropolitan area and issue a request for information at least ninety days prior to
11 issuing any request for proposal issued pursuant to this Section. The purpose of the
12 public meeting and request for information shall be to receive input from the public
13 on how the collection of tolls, operations, or maintenance on the Crescent City
14 Connection Bridge shall be conducted.

15 C. Any requests for proposal issued pursuant to this Section shall indicate
16 the relative importance of price and other evaluation factors and shall state the
17 criteria to be used in evaluating any proposal.

18 D. Adequate public notice of any requests for proposals shall be given by
19 advertising in the official journal of the state and the official journals of the parishes
20 of Orleans, Jefferson, and Plaquemines, at least once. The first advertisement in
21 each of the listed journals shall appear at least thirty days before the last day that
22 proposals will be accepted. In addition, written notice may be provided to persons,
23 firms, or corporations who are known to be in a position to furnish such service
24 requested at least thirty days prior to the last day that any proposals will be accepted.

25 E. The department shall determine which proposal for a desired service is the
26 most advantageous to the state which meets all the qualitative restrictions established
27 in any requests for proposal.

28 F. No contract shall be entered into pursuant to this Section, unless it is
29 preapproved by the Joint Legislative Committee on the Budget.

1 G. The Joint Legislative Committee on the Budget, the Senate Committee
2 on Transportation, Highways, and Public Works, and the House Committee on
3 Transportation, Highways and Public Works shall exercise continuous oversight over
4 any services provided by a public or nonpublic entity issued a contract pursuant to
5 this Section.

6 H. The department shall give updates on its efforts to privatize the operations
7 and maintenance of the Crescent City Connection Bridge upon request of the Senate
8 Committee on Transportation, Highways, and Public Works or the House Committee
9 on Transportation, Highways and Public Works, or both.

10 I. The provisions of this Section shall be null, void, and of no effect on July
11 1, 2014, should the department have not awarded a contract or contracts for Crescent
12 City Connection Bridge toll collection, operation, and maintenance.

13 Section 4. This Section and Sections 1 and 5 of this Act shall become effective upon
14 signature by the governor or, if not signed by the governor, upon expiration of the time for
15 bills to become law without signature by the governor, as provided by Article III, Section
16 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved
17 by the legislature, this Act shall become effective on the day following such approval.

18 Section 5. Sections 2 and 3 of this Act shall be effective January 1, 2013, 12:01 a.m.,
19 should the election provided for in Section 1 of this Act result in the collection of tolls on
20 the Crescent City Connection Bridge.

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)]

St. Germain

HB No. 1212

Abstract: Authorizes an election to be held in the parishes of Jefferson, Orleans, and Plaquemines on the question of whether tolls shall be collected on the Crescent City Connection Bridge. The bill provides that the DOTD shall collect the tolls and operate and the maintain the bridge.

Proposed law provides that an election shall be held in the parishes of Jefferson, Orleans, and Plaquemines for the purpose of determining whether tolls shall be collected on the Crescent City Connection Bridge. Proposed law provides for the ballot language, which provides for the rate of the tolls to be collected and the uses of the toll revenue.

Proposed law provides that upon a majority of the qualified electorate approving the collection of tolls, the tolls shall be collected at the present law rates. Proposed law maintains all present law manners of toll collection and enforcement of toll violations.

Proposed law provides for the creation of the "Crescent City Connection Toll Fund", as follows:

- (1) Monies for the fund shall be tolls collected for passage over the Crescent City Connection Bridge, and any administrative fees, and any late charges.
- (2) After compliance with the requirements of Article VII, Section 9(B) of the Constitution of La., relative to the Bond Security and Redemption Fund, an amount equal to that deposited into the state treasury from the foregoing sources shall be deposited in and credited to the fund. The monies in the fund shall be invested by the treasurer in the same manner as the state general fund, and interest earnings shall be deposited into the fund. All unexpended and unencumbered monies remaining in the fund at the end of each fiscal year shall remain in the fund.
- (3) Monies in the fund shall be subject to annual appropriation by the legislature for use by the Department of Transportation and Development and the Department of Public Safety and Corrections, public safety services.
- (4) Monies in the fund shall be allocated and disbursed by the Department of Public Safety and Corrections, public safety services, for police functions along the span of the bridge.
- (5) Monies in the fund shall be allocated and disbursed by the secretary of the Department of Transportation and Development solely for operations, maintenance, landscaping, grass cutting, trash pick up, functional and ornamental lighting, and capital projects on ingress and egress points to the Crescent City Connection Bridge along US 90 from Broad Street to Nine Mile Point Road. No more than a stated percent shall be allocated or disbursed by the secretary of the Department of Transportation and Development for operations in any one fiscal year.

Proposed law provides that New Orleans Regional Planning commission shall serve as an advisory body for the collection of tolls. Proposed law provides that the commission shall have access to the accounting of all expenditures, revenues, project priorities, status of ongoing projects, and any other matters which relate to the Crescent City Connection, its operations, and related projects.

Proposed law provides for the authorization to privatize the operations and maintenance of and toll collections on the Crescent City Connection Bridge as follows:

- (1) Authorizes the department to enter into contracts with public or nonpublic entities for the collection of tolls, operations, or maintenance, or all of the aforementioned activities, on the Crescent City Connection Bridge.
- (2) Requires the department to hold at least one public meeting in the New Orleans metropolitan area and issue a request for information at least 90 days prior to issuing any request for proposal. The purpose of the public meeting and request for information shall be to receive input from the public on how the collection of tolls, operations, or maintenance on the Crescent City Connection Bridge shall be conducted.
- (3) Any requests for proposal issued pursuant to proposed law shall indicate the relative importance of price and other evaluation factors and shall state the criteria to be used in evaluating any proposal.

- (4) Adequate public notice of any requests for proposals shall be given by advertising in the official journal of the state and the official journals of the parishes of Orleans, Jefferson, and Plaquemines, at least once. The first advertisement in each of the listed journals shall appear at least 30 days before the last day that proposals will be accepted. In addition, written notice may be provided to persons, firms, or corporations who are known to be in a position to furnish such service requested at least 30 days prior to the last day that any proposals will be accepted.
- (5) The department shall determine which proposal for a desired service is the most advantageous to the state which meets all the qualitative restrictions established in any requests for proposal.
- (6) All contracts have to be pre-approved by the Joint Legislative Committee on the Budget.
- (7) The department is authorized to monitor the operations and services provided to the department by a public or nonpublic entity issued a contract. The Joint Legislative Committee on the Budget, the Senate Committee on Transportation, Highways, and Public Works, and the House Committee on Transportation, Highways and Public Works shall exercise continuous oversight over any services provided by a public or nonpublic entity issued a contract.
- (8) Requires the department to give updates on its efforts to privatize the operations and maintenance of the Crescent City Connection Bridge upon request of the Senate Committee on Transportation, Highways, and Public Works or the House Committee on Transportation, Highways and Public Works, or both.
- (9) Provides that the proposed law shall be null, void, and of no effect on July 1, 2014, should the department have not awarded a contract or contracts for Crescent City Connection Bridge toll collection, operation, and maintenance.

Proposed law provides that should the Crescent City Connection ferries not be privatized, then the department shall use best practices and establish and collect fares as follows:

- (1) A commuter fare for pedestrians of not less than one dollar per each passage.
- (2) A commuter pass for motor vehicle commuters not less than four dollars per each passage.
- (3) A tourist rate or non-commuter rate may be set by the department under the direction of the New Orleans Regional Planning Commission.

Proposed law provides that all fares collected pursuant to proposed law shall be used solely for ferry operations formerly operated by the Crescent City Connection Division of the Department of Transportation and Development.

Proposed law provides that DOTD is authorized to adjust the fares charged pursuant to proposed law annually in accordance with increases in the Consumer Price Index.

Sections 1, 4, and 5 are effective upon signature of governor or lapse of time for gubernatorial action.

Sections 2 and 3 are effective Jan. 1, 2013, 12:01 a.m., should the election provided for in Section 1 of this Act results in the collection of tolls on the Crescent City Connection Bridge.

(Adds R.S. 47:820.5.8 and 7011-7016 and R.S. 48:954)