

SENATE BILL NO. 218

BY SENATOR MORRELL AND REPRESENTATIVE GIROD JACKSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 48:1161.2(D) and to enact R.S. 47:7013.1, relative to collection of tolls and fees; prohibits the Department of Transportation and Development from acting to collect tolls and certain fees and charges from any person who failed to pay a toll to cross the Crescent City Connection Bridge during a certain time period; to require the Department of Transportation and Development to establish a toll violation amnesty program for certain persons who failed to pay a toll to cross the Crescent City Connection Bridge; to provide for terms and conditions of a toll amnesty program; to provide for the costs to implement a toll amnesty program; to require the Department of Transportation and Development to turn certain debt over to the Department of Justice or Department of Revenue for collections; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:7013.1 is hereby enacted to read as follows:

**§7013.1. Collection of tolls, fees, and charges on Crescent City Connection Bridge; prohibition; amnesty program**

**A. Notwithstanding the provisions of R.S. 47:7012 and 7013, or any other law to the contrary, the Department of Transportation and Development shall not take any action to collect a toll, charge, administrative fee, or late charge from any person who failed to pay a toll to cross the Crescent City Connection Bridge, beginning on January 1, 2013, and continuing through March 5, 2013.**

**B. Notwithstanding any provision of law to the contrary, as of August 1, 2013, notices of violations or delinquencies shall not be required to be sent to any person alleged to have failed to pay a toll to cross the Crescent City**

1           Connection Bridge prior to January 1, 2013.

2                   C. (1) The department shall establish a toll violation amnesty program  
3           for all persons alleged to have failed to pay a toll to cross the Crescent City  
4           Connection Bridge prior to January 1, 2013.

5                   (2)(a) The department shall begin conducting the program no later than  
6           August 1, 2013, and shall conclude the program on October 1, 2013.

7                   (b) The department shall publicize the program in order to maximize the  
8           public awareness of and participation in the program.

9                   (3) During the program, the department shall not take any action to  
10          collect a charge, administrative fee, or late charge from a person who is alleged  
11          to have failed to pay a toll to cross the Crescent City Connection Bridge prior  
12          to January 1, 2013.

13                  (4)(a) Any person who has entered into a payment plan agreement in  
14          connection with an alleged failure to pay a toll to cross the Crescent City  
15          Connection Bridge prior to January 1, 2013, shall be entitled to avail themselves  
16          of the program.

17                  (b) Persons who avail themselves of the program shall be relieved of any  
18          further obligations pursuant to any payment plan agreement, and be obligated  
19          only to pay amounts due under the program.

20                  (c) The department may develop and implement procedures for applying  
21          payments made under payment plan agreements as credits against any amounts  
22          due under the program.

23                  (5) The department shall deposit all funds collected during the amnesty  
24          program into the Crescent City Transition Fund.

25                  (6) Upon conclusion of the program, the department shall do the  
26          following:

27                  (a) Notify the Department of Public Safety and Corrections, office of  
28          motor vehicles, of all persons who disposed of toll violations pursuant to the  
29          program. The office of motor vehicles shall be prohibited from refusing to  
30          renew the driver's licenses of any such persons for the alleged failure to respond

1 to a notice from the department pertaining to the alleged failure to pay a toll to  
 2 cross the Crescent City Connection Bridge.

3 (b) Submit all evidence of outstanding toll violations alleged to have  
 4 occurred prior to January 1, 2013, to the Department of Justice or the  
 5 Department of Revenue for collection.

6 Section 2. R.S. 48:1161.2(D) is hereby amended and reenacted to read as follows:

7 §1161.2. Crescent City Transition Fund

8 \* \* \*

9 D. Monies in the fund shall be ~~subject to appropriation by the legislature~~  
 10 ~~upon recommendation of the secretary of the Department of Transportation and~~  
 11 ~~Development. If the Department of Transportation and Development determines that~~  
 12 ~~an appropriation is necessary, the~~ **appropriated as follows:**

13 **(a) The** first four million dollars of monies deposited in the fund shall be  
 14 appropriated for use by the Department of Transportation and Development,  
 15 hereinafter referred to as the "department", for the purpose of capitalizing ferry  
 16 service formerly operated by the Crescent City Connection Division in the Marine  
 17 Trust Program. **One million four hundred thousand dollars of such funds**  
 18 **available for such ferry service shall be appropriated and available for ferry**  
 19 **operation costs, such funds to be appropriated annually in the amount of seven**  
 20 **hundred thousand dollars for the fiscal years beginning July 1, 2013, and July**  
 21 **1, 2014.**

22 **(b) An amount not to exceed twenty percent of the funds collected and**  
 23 **deposited into the fund pursuant to the toll violation amnesty program required**  
 24 **to be established pursuant to R.S. 47:7013.1(B) shall be appropriated to the**  
 25 **department for its costs incurred to implement the program.**

26 ~~(c) Whether or not tolls are extended on the Crescent City Connection~~  
 27 ~~Bridge, the~~ **The** balance of the monies in the fund ~~as of December 31, 2012,~~ shall be  
 28 appropriated to the New Orleans Regional Planning Commission for lighting of the  
 29 eastbank and westbank approaches to the Crescent City Connection Bridge including  
 30 General DeGaulle and the Westbank Expressway approach through ground level,

1 improvements to ingress and egress points, lighting, maintenance, grass cutting, and  
2 landscaping of the ~~westbank expressway~~ **Westbank Expressway** and connecting  
3 arteries.

4 \* \* \*

5 Section 3. This Act shall become effective upon signature by the governor or, if not  
6 signed by the governor, upon expiration of the time for bills to become law without signature  
7 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
8 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
9 effective on the day following such approval.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_