

Regular Session, 2014

SENATE BILL NO. 500

BY SENATOR HEITMEIER

ROADS/HIGHWAYS. Provides for refund of certain collections in the amnesty program for the Crescent City Connection Bridge. (gov sig)

1 AN ACT

2 To enact R.S. 47:7019.2, relative to collection of tolls and fees; to provide for the refund of
3 monies paid by certain persons for a toll violation during the amnesty period to the
4 Department of Transportation and Development; to provide with respect to such
5 refunds; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 47:7019.2 is hereby enacted to read as follows:

8 **§7019.2. Collection of tolls, fees, and charges on Crescent City Connection**
9 **Bridge; amnesty program; refunds**

10 **A. Any person, who availed themselves of the toll violation amnesty**
11 **program as provided in R.S. 47:7019.1 and made payment for a toll violation**
12 **to the Department of Transportation and Development during the amnesty**
13 **period shall be entitled to a refund of such monies paid if he applies to the**
14 **department for the refund within the refund time period provided for in this**
15 **Section and if he satisfies one of the following circumstances:**

16 **(1) Such person possessed a valid toll tag and payment account, but due**
17 **to no fault of his own, his toll payment account was not accessed for payment.**

1 **(2) Such person did not possess a valid toll tag and made payment for**
2 **less than five toll violations.**

3 **B. (1) The New Orleans Regional Planning Commission shall establish**
4 **a program to refund monies collected during the amnesty period for a toll**
5 **violation from any person who satisfies one of the circumstances provided in**
6 **Subsection A of this Section.**

7 **(2)(a) The New Orleans Regional Planning Commission shall begin**
8 **conducting the program no later than October 1, 2014, and shall terminate the**
9 **program on December 31, 2015.**

10 **(b) The New Orleans Regional Planning Commission shall publicize the**
11 **program in order to maximize the public awareness of and participation in the**
12 **program.**

13 **(c) After December 31, 2015, the New Orleans Regional Planning**
14 **Commission shall have no obligation to refund monies collected during the**
15 **amnesty period for a toll violation which satisfies the circumstances of**
16 **Subsection A of this Section.**

17 **C. Notwithstanding the provisions of R.S. 48:1161.2(D)(c), any refund**
18 **payment shall be made from money appropriated to the New Orleans Regional**
19 **Planning Commission from the Crescent City Transition Fund prior to any**
20 **other use of such money by the commission.**

21 **D. The provisions of this Section shall terminate on January 1, 2016.**

22 **E. Notwithstanding the provisions of R.S. 47:7019.1(C)(6)(b), or any**
23 **other law to the contrary, no action shall be taken to collect a toll violation from**
24 **any person who possessed a valid toll tag and payment account, but due to no**
25 **fault of his own, the toll payment account was not accessed for payment.**

26 Section 2. This Act shall become effective upon signature by the governor or, if not
27 signed by the governor, upon expiration of the time for bills to become law without signature
28 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
29 vetoed by the governor and subsequently approved by the legislature, this Act shall become

1 effective on the day following such approval.

The original instrument was prepared by Sharon F. Lyles. The following digest, which does not constitute a part of the legislative instrument, was prepared by Laura Gail Sullivan.

DIGEST

Heitmeier (SB 500)

Proposed law provides that any person who availed himself of the toll violation amnesty program as provided in R.S. 47:7019.1 and made payment for a toll violation to the Dept. of Transportation and Development (DOTD) during the amnesty period is entitled to a refund of such monies paid if he satisfies one of the following:

- (1) Such person possessed a valid toll tag and payment account, but due to no fault of his own, his toll payment account was not accessed for payment.
- (2) Such person did not possess a valid toll tag and made payment for fewer than five toll violations.

Proposed law requires the New Orleans Regional Planning Commission to establish a refund program.

Proposed law requires the commission to begin the program no later than October 1, 2014, and terminate the program on December 31, 2015. Requires the commission to publicize the program to maximize the public awareness of and participation in the program. Provides the commission has no obligation to refund monies collected during the amnesty period for a toll violation after December 31, 2015.

Proposed law gives refunds paid under the program established pursuant to proposed law priority over any other use of the monies designated to fund the refunds.

Proposed law provides its provisions terminate on January 1, 2016.

Proposed law forgives the toll violations of any person who possessed a valid toll tag and payment account, but due to no fault of his own, the toll payment account was not accessed for payment.

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

(Adds R.S. 47:7019.2)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Revenue and Fiscal Affairs to the original bill

1. Moves responsibility for establishing, conducting, and publicizing the program from the DOTD to the New Orleans Regional Planning Commission.
2. Gives refunds paid under the program established pursuant to proposed law priority over any other use of the monies designated to fund the refunds.
3. Forgives the toll violations of any person who possessed a valid toll tag and payment account, but due to no fault of his own, the toll payment account was not accessed for payment.