

ACT No. 355

2015 Regular Session

HOUSE BILL NO. 742

BY REPRESENTATIVE LEGER

1 AN ACT

2 To enact R.S. 48:229.1 and to repeal R.S. 48:229, relative to programs of construction to be
3 commenced in the coming fiscal year submitted to the legislature by the Department
4 of Transportation and Development; to prescribe the process by which the
5 Department of Transportation and Development shall select and prioritize certain
6 construction projects; to require the Department of Transportation and Development
7 to make certain information public; to repeal the current requirements by which the
8 Department of Transportation and Development prioritizes certain construction
9 projects; to provide for an effective date; and to provide for related matters

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 48:229.1 is hereby enacted to read as follows:

12 §229.1. Statewide prioritization process for the Highway Priority Program

13 A. The legislature declares it to be in the public interest that a prioritization
14 process for construction be utilized to develop a Highway Priority Program that
15 accomplishes the following:

16 (1) Brings the state highway system into a good state of repair and optimizes
17 the usage and efficiency of existing transportation facilities.

18 (2) Improves safety for motorized and nonmotorized highway users and
19 communities.

20 (3) Supports resiliency in the transportation system, including safe
21 evacuation of populations when necessitated by catastrophic events such as
22 hurricanes and floods.

23 (4) Increases accessibility for people, goods, and services.

1 (5) Fosters diverse economic development and job growth, international and
 2 domestic commerce, and tourism.

3 (6) Fosters multimodalism, promotes a variety of transportation and travel
 4 options, and encourages intermodal connectivity.

5 (7) Encourages innovation and the use of technology.

6 (8) Protects the environment, reduces emissions, and improves public health
 7 and quality of life.

8 B. Beginning with the Highway Priority Program for Fiscal Year 2017-2018,
 9 the department shall provide the legislature and public with this program which shall
 10 list projects to be constructed in the ensuing fiscal year in an order of priority that is
 11 determined after projects selected pursuant to Subsection C of this Section are
 12 analyzed and prioritized based upon the factors set forth in Subsection A of this
 13 Section.

14 C. The projects to be included in the Highway Priority Program shall be
 15 selected utilizing a process based on an objective analysis that considers, at
 16 minimum, the following factors relative to the cost of the project and anticipated
 17 revenues to be appropriated by the legislature:

18 (1) The condition of the roads, streets, and structures making up the state
 19 highway system and the relative urgency of the improvements considering in their
 20 order of general needs. For purposes of this Paragraph, "condition" shall include but
 21 not be limited to the state of repair of the existing roadway and shoulder surfaces,
 22 structures and drainage, and other factors of the roadway, such as signs, signals,
 23 markings, and barriers.

24 (2) The type and volume of traffic on a particular segment of roadway,
 25 highway, or bridge.

26 (3) The crash records for a particular segment of roadway, highway, or
 27 bridge.

28 (4) The technical difficulties in the preparation of plans and the procurement
 29 of rights-of-way for a particular segment of roadway, highway, or bridge.

1 (5) Whether unforeseeable emergencies such as floods have created an
2 immediate need for improvement or reconstruction.

3 (6) Whether capacity improvements are warranted due to population or
4 traffic volume increases in specific geographic areas.

5 (7) Whether or not the highway or bridge is or will be on an evacuation route
6 utilized to evacuate large populations due to catastrophic events such as hurricanes
7 or flooding.

8 (8) Whether the improvement to or addition of a highway or bridge will
9 benefit the economic development potential of the state.

10 D. Prior to selecting a project for inclusion in the program based on the
11 factors set forth in Subsection C of this Section, the department shall screen all
12 projects submitted for inclusion in the program to determine whether they are
13 consistent with the most recent Statewide Transportation Plan and warrant inclusion
14 in the program.

15 E. No later than October first of each year, the department shall make public,
16 in an accessible format, the results of the screening and analysis of projects pursuant
17 to this Section.

18 F. The department shall initially identify prospective outcomes of each
19 program and report these prospective outcomes to the legislature and make them
20 available to the public on or before June 6, 2016. The department shall evaluate the
21 actual outcomes of each program and establish revised prospective outcomes of each
22 program on a biennial basis. Beginning in 2018, the department shall report the
23 results of these biennial evaluations to the legislature and make them available to the
24 public on the department website on a biennial basis when the department presents
25 a proposed program of construction to the Joint Highway Priority Construction
26 Committee in accordance with R.S. 48:231(A)(1).

27 G. The department may consult with the Department of Economic
28 Development when fixing the priorities of projects as required by this Section.

29 Section 2. R.S. 48:229 is hereby repealed in its entirety.

30 Section 3. Sections 1 and 2 of this Act shall become effective on March 14, 2016.

1 Section 4. Section 3 of this Act and this Section shall become effective upon
2 signature of the governor or, if not signed by the governor, upon expiration of the time for
3 bills to become law without signature of the governor, as provided by Article III, Section 18
4 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by
5 the legislature, this Act shall become effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____