

**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.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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