

House Committee on Transportation, Highways and Public Works

Minutes of Meeting
2016 Regular Session
May 16, 2016

I. CALL TO ORDER

Representative Kenneth E. Havard, chairman of the House Committee on Transportation, Highways and Public Works, called the meeting to order at 1:08 p.m. in Room 3, in the State Capitol in Baton Rouge, Louisiana. The secretary called the roll.

II. ROLL CALL

MEMBERS PRESENT:

Representative Kenneth E. Havard, chairman
Representative Bryan Adams
Representative Terry R. Brown
Representative Barbara W. Carpenter
Representative A B Franklin
Representative Jerry Gisclair
Representative Jeffrey "Jeff" Hall
Representative Dorothy Sue Hill
Representative Frank A. Howard
Representative Terry C. Landry, Sr., vice chairman
Representative C. Denise Marcelle
Representative Vincent J. Pierre
Representative J. Rogers Pope
Representative Malinda B. White

MEMBERS ABSENT:

Representative Stephen F. Carter
Representative John E. Guinn
Representative H. Bernard LeBas
Representative Jack Montoucet
Representative Barbara M. Norton

STAFF MEMBERS PRESENT:

Kimberly Callaway, attorney
Ashleigh Clare-Kearney, attorney

Angelique R. Mozee, secretary

ADDITIONAL ATTENDEES PRESENT:

Vivian Hurst, sergeant at arms
Peter Chol, clerk

III. DISCUSSION OF LEGISLATION

House Bill No. 1131 by Representative Broadwater

Representative Havard announced that action on House Bill No. 1131 by Representative Broadwater, which creates Transportation Infrastructure Districts, is being voluntarily deferred.

Representative Terry Landry in the chair.

Senate Bill No. 419 by Senator Thompson

On behalf of Senator Thompson, Representative Havard presented Senate Bill No. 419, which authorizes changes in the factors used in selection committee decisions.

Representative Howard offered a motion to report Senate Bill No. 419 favorably. Without objection, Senate Bill No. 419 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Havard, Adams, Terry Brown, Carpenter, Franklin, Gisclair, Hall, Hill, Howard, Terry Landry, Pierre, Pope, and White voted yea.

Chairman Havard in the chair.

Senate Bill No. 373 by Senator Mizell

Senator Mizell presented Senate Bill No. 373, which repeals the Washington Parish Reservoir District.

Jerry Thomas, no contact information provided, spoke in support of Senate Bill No. 373.

Representative White offered amendments to:

1. Make technical changes.
2. Remove the present law repealer which would have deleted the placement of Washington Parish Reservoir District within the Dept. of Transportation and Development and the requirement that it perform and exercise its powers, duties, functions, and responsibilities in

- the manner provided for agencies transferred in accordance with the provisions of present law.
3. Require the governor to appoint replacements for each board vacancy in the same manner that the original board members were appointed and in compliance with present law.
 4. Prohibit the board of commissioners from expropriating by eminent domain any immovable property in furtherance of present law.
 5. Provide that all contracts of the district must be let by the board of commissioners subject to Chapter 10 of Title 38 of the La. Revised Statutes rather than the provisions of R.S. 38:2181.
 6. Require all board meetings be conducted pursuant to the open meetings law.
 7. Require notice of all meetings of the board of commissioners be posted on the website maintained by the parish governing authority of Washington Parish no later than 72 hours prior to the meeting.

Representative White offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Havard, Adams, Terry Brown, Carpenter, Gisclair, Hall, Hill, Howard, Terry Landry, Pierre, Pope, and White voted yea.

Representative Terry Brown offered a motion to report Senate Bill No. 373 with amendments. Without objection, Senate Bill No. 373 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Havard, Terry Brown, Carpenter, Franklin, Gisclair, Hall, Hill, Howard, Terry Landry, Pierre, Pope, and White voted yea.

Witness cards submitted by individuals who did not speak are as follows: 14 in support. Witness cards are included in the committee records.

Senate Bill No. 172 by Senator Morrell

On behalf of Senator Morrell, Representative Terry Landry presented Senate Bill No. 172, which provides for persons authorized to sign forms for issuance of special license plates or hang tags for mobility impaired persons.

Stephanie Patrick, Advocacy Center, 8325 Oak Street, New Orleans, Louisiana 70118, (225) 460-5200, spoke in support of Senate Bill No. 172.

Representative Pierre offered a motion to report Senate Bill No. 172 favorably. Without objection, Senate Bill No. 172 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Havard, Carpenter, Franklin, Gisclair, Hall, Hill, Howard, Terry Landry, Pierre, and Pope voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support, and 2 for information only. Witness cards are included in the committee records.

Senate Bill No. 268 by Senator Morrell

On behalf of Senator Morrell, Representative Terry Landry presented Senate Bill No. 268, which establishes a fixed period after establishing residency in Louisiana to have a vehicle registered and inspected.

Representative Pierre offered a motion to report Senate Bill No. 268 favorably. Without objection, Senate Bill No. 268 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Havard, Terry Brown, Carpenter, Franklin, Gisclair, Hall, Hill, Howard, Terry Landry, Pierre, and Pope voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 for information only. Witness cards are included in the committee records.

House Concurrent Resolution No. 119 by Representative Stokes

Representative Stokes presented House Concurrent Resolution No. 119, which creates a study group to examine issues related to port facilities, activities, and development in the city of Kenner and other parts of Jefferson Parish.

Representative Howard offered a motion to report House Concurrent Resolution No. 119 favorably. Without objection, House Concurrent Resolution No. 119 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Havard, Terry Brown, Carpenter, Franklin, Gisclair, Hall, Hill, Howard, Terry Landry, Pierre, and Pope voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support. Witness cards are included in the committee records.

Senate Bill No. 227 by Senator Colomb

On behalf of Senator Colomb, Karen St. Germain, commissioner, Office of Motor Vehicles, P. O. Box 64886, Baton Rouge, Louisiana 70896, (225) 925-4656, presented Senate Bill No. 227, which provides for the issuance of REAL ID compliant driver's licenses and special identification cards.

Staci Hoyt, Office of Motor Vehicles, P. O. Box 64886, Baton Rouge, Louisiana 70896, (225) 270-1556, spoke for information only on House Bill No. 227.

Kathryn Goppelt, 42291 Clonatre Road, Gonzales, Louisiana 70737, (225) 241-9425, spoke in opposition to Senate Bill No. 227.

Lisa Arceri, 2017 Transcontinental Drive, Metairie, Louisiana 70001, (504) 736-9604, spoke in opposition to Senate Bill No. 227 and provided a handout, Exhibit A, which is included in the committee records.

Representative Terry Landry offered amendments to:

1. Require all applicants for a driver's license or special identification card to provide proof of Louisiana residency, which includes but is not limited to paid receipts for utility bills and bank statements.
2. Prohibit the Dept. of Public Safety and Corrections from requiring a person who applies for a driver's license that is not compliant with REAL ID standards to comply with any REAL ID requirements not required by the state as of January 1, 2016, or submit to a facial image capture in connection with such application prior to determining if such applicant is eligible to be issued a driver's license.
3. Remove requirement that a sign be posted in each office of motor vehicles with a description of the REAL ID compliant driver's license and special identification card and require instead that the Dept. of Public Safety and Corrections provide a printed document that informs a driver's license or special identification card applicant of the documents required for the non-compliant REAL ID and compliant REAL ID credential, the purposes for which the non-compliant REAL ID and REAL ID compliant credential may be utilized for, and the electronic technology incorporated for the non-compliant REAL ID credential and REAL ID compliant credential.
4. Require the department provide each applicant for a driver's license a printed document that includes information required to obtain a REAL ID compliant driver's license, to obtain a driver's license that is not REAL ID compliant, the purposes for which a driver's license that is REAL ID compliant may be utilized, the purposes for which a driver's license that is not REAL ID compliant may be utilized, the technology incorporated into a driver's license that is REAL ID compliant, and the technology incorporated into a driver's license that is not REAL ID compliant.
5. Allow a driver's license applicant to request Dept. of Public Safety and Corrections to record and retain the applicant's name, date of birth, certificate number, date filed, and issuing agency in lieu of retaining an image or copy of the applicant's birth certificate.

6. Require Dept. of Public Safety and Corrections upon request of any person to remove and purge from Dept. of Public Safety and Corrections and contractor databases and systems any personal identifying source documents, and to purge photographs of such person from a contractor database or system obtained by Dept. of Public Safety and Corrections or a contractor in the process of a person applying for or renewing a driver's license between July 7, 2008, and the effective date of proposed law that were not required by state law to be captured by the department or a contractor as of July 7, 2008.
7. Clarify that any person applying for a special identification card who elects not to apply for a special identification card that complies with REAL ID and who is otherwise eligible, shall be issued a special identification card which indicates it is not in compliance with REAL ID and shall not be required to comply with any REAL ID requirements that were not required by the state as of January 1, 2016.
8. Require the department provide each applicant for a special identification card a printed document that includes information required to obtain a REAL ID compliant special identification card, to obtain a special identification card that is not REAL ID compliant, the purposes for which a special identification card that is REAL ID compliant may be utilized, the purposes for which a special identification card that is not REAL ID compliant may be utilized, the technology incorporated into a special identification card that is REAL ID compliant, and the technology incorporated into a special identification card that is not REAL ID compliant.
9. Add that a person may obtain a REAL ID compliant special identification card prior to the renewal of such special identification card at the cost of a duplicate special identification card.
10. Make technical changes.

Representative Terry Landry offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Havard, Terry Brown, Carpenter, Gisclair, Hall, Hill, Howard, Terry Landry, Pierre, and Pope voted yea.

Representative Havard offered an amendment to add that the Dept. of Public Safety and Corrections is also prohibited from copying or sharing a copy of documents proving identity of persons who apply for a driver's license that is not REAL ID compliant.

Representative Havard offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 13 yeas and 0 nays. Representatives Havard, Terry Brown, Carpenter, Franklin, Gisclair, Hall, Hill, Howard, Terry Landry, Marcelle, Pierre, Pope, and White voted yea.

Representative Terry Landry offered a motion to report Senate Bill No. 227 with amendments, to which Representative Pope objected. The secretary called the roll, and Senate Bill No. 227 was reported with amendments by a vote of 11 yeas, 1 nay, and 1 abstention. Representatives Terry Brown, Carpenter, Franklin, Gisclair, Hall, Hill, Howard, Terry Landry, Marcelle, Pierre, and White voted yea. Representative Pope voted nay. Representative Havard abstained.

Witness cards submitted by individuals who did not speak are as follows: 4 in support, 1 in opposition, and 2 for information only. Witness cards are included in the committee records.

Senate Bill No. 91 by Senator Colomb

Senator Colomb presented Senate Bill No. 91, which increases penalties for texting or using social media while driving.

Brad Ourso, concerned citizen, 322 Wylie Drive, Baton Rouge, Louisiana 70808, (225) 716-0792, spoke in support of Senate Bill No. 91.

Robert Burns, lieutenant, State Police, 7919 Independence Blvd., Baton Rouge, Louisiana 70806, (225) 925-4234, spoke for information only on Senate Bill No. 91.

Representative Carpenter offered a motion to report Senate Bill No. 91 favorably. Without objection, Senate Bill No. 91 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Havard, Terry Brown, Carpenter, Franklin, Gisclair, Hall, Hill, Howard, Terry Landry, Marcelle, Pierre, and White voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 for information only. Witness cards are included in the committee records.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 2:43 p.m.

Respectfully submitted,

Chairman Kenneth E. Havard
House Committee on Transportation, Highways and Public Works

Date adopted: