

House Committee on Transportation, Highways and Public Works

Minutes of Meeting
2022 Regular Session
March 21, 2022

I. CALL TO ORDER

Representative Mark Wright, chairman of the House Committee on Transportation, Highways and Public Works, called the meeting to order at 9:31 a.m. in Room 3, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Mark Wright, chairman
Representative Kendricks "Ken" Brass, vice chairman
Representative Mack Marcel Cormier
Representative Kathy Edmonston
Representative Michael "Gabe" Firment
Representative Barbara Reich Freiberg
Representative Foy Bryan Gadberry
Representative Dodie Horton
Representative Ed Larvadain, III
Representative Joseph A. Marino, III
Representative Charles Anthony Owen
Representative Robert "Bob" Owen
Representative Vincent J. Pierre
Representative Rodney Wayne Schamerhorn
Representative Larry Selders

MEMBERS ABSENT:

Representative Cedric B. Glover
Representative Patricia "Pat" Moore

STAFF MEMBERS PRESENT:

LeeAnne Sharlow, attorney
Carlesia Bibbins, attorney
Brandy Phillips, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Vivian Hurst, sergeant at arms
Myrtis Jarrell, sergeant at arms

III. DISCUSSION OF LEGISLATION

House Bill No. 710 by Representative Stefanski

Chairman Wright announced that action on House Bill No. 710, which provides relative to the provisions of construction management at risk (CMAR), was voluntarily deferred.

House Bill No. 658 by Representative Stagni

Chairman Wright announced that action on House Bill No. 658, which modifies the membership of the Louisiana Advisory Council on Driver Education, was voluntarily deferred.

House Bill No. 221 by Representative Magee

Representative Magee presented House Bill No. 221, which provides relative to procurement limits for purchases of materials and supplies by public entities.

Representative Schamerhorn offered a motion to report House Bill No. 221 favorably. Without objection, House Bill No. 221 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Wright, Brass, Cormier, Freiberg, Gadberry, Horton, Larvadain, Marino, and Schamerhorn voted yea.

Witness cards submitted by individuals who did not speak are as follows: 7 in support. Witness cards are included in the committee records.

House Bill No. 376 by Representative Huval

Representative Huval presented House Bill No. 376, which provides relative to the operation of a motor vehicle while using a wireless telecommunication device.

Representative Marino offered amendments to:

1. Make technical changes.
2. Remove provisions that deleted repealed citations and expanded present law to require \$50 from each fine collected on subsequent violations of proposed law be

distributed to the indigent defender fund of the judicial district in which the citation was issued.

3. Add an exception for operating a wireless telecommunications device while operating a motor vehicle upon any public road or highway for an emergency service or EMS practitioner.
4. Add an exception to the prohibition against the use of certain wireless telecommunications devices while operating a vehicle for a person who dials 911 to report a crime in progress.
5. Remove the discretion of a judge to authorize 15 hours of community service for a first violation. Add the authorization for the penalty to include 30 hours of community service.
6. Remove the discretion of a judge to authorize 30 hours of community service for a second violation. Add the authorization for the penalty to include 30 hours of community service.
7. Remove the suspension of the person's driver's license for a period of 30 days and the discretion of a judge to authorize 60 hours of community service for a third and subsequent violation.
8. Add the authorization for the penalty to include 90 hours of community service for a third and subsequent violation.
9. Change the required consent to search a motor vehicle operator's wireless communications device from voluntary and unequivocal to free and voluntary.
10. Remove the requirement of probable cause for a violation to be based solely on the law enforcement officer's clear and unobstructed view of a person's use of a wireless telecommunications device.
11. Add a termination date of January 1, 2027 for the provisions of proposed law to be in effect.

Representative Marino offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Wright, Brass, Cormier, Edmonston, Firment, Freiberg, Horton, Larvadain, Marino, Robert Owen, Schamerhorn, and Selders voted yea.

Ms. Jennifer Smith, stopdistractions.org, P.O. Box 6743, River Forest, IL 60305, (708) 334-3058, spoke in support of House Bill No. 376.

Lt. Bryan Lee, Louisiana State Police, 7919 Independence Boulevard, Baton Rouge, LA 70806, (225) 925-4239, spoke for information only.

Ms. Vanessa Spinazola, Justice and Accountability Center, 4035 Washington Avenue, Suite #203, New Orleans, LA 70125, (504) 322-4050, spoke in opposition to House Bill No. 376.

Representative Selders offered an in-concept amendment to add an effective termination date of 1, 2027 January for the provisions of proposed law to be in effect. Representative Selders offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 11 yeas and 0 nays. Representatives Wright, Brass, Cormier, Edmonston, Firment, Freiberg, Larvadain, Robert Owen, Pierre, Schamerhorn, and Selders voted yeas.

Representative Freiberg offered a motion to report House Bill No. 376 with amendments. Without objection, House Bill No. 376 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Wright, Brass, Cormier, Edmonston, Firment, Freiberg, Horton, Larvadain, Robert Owen, Pierre, Schamerhorn, and Selders voted yeas.

Witness cards submitted by individuals who did not speak are as follows: 5 in support, 2 in opposition, and 2 for information only. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 1 in opposition. Copies of these statements are included in the committee records.

House Bill No. 62 by Representative Bagley

Representative Bagley presented House Bill No. 62, which provides relative to the fee and gross vehicle weight limits and axle weight limits for special permits.

Mr. Charles E. Williams Jr., Jr's Crane LLC, 2025 Midway Street, Shreveport, LA 71108, (818) 871-7199, spoke in support of House Bill No. 62.

Mr. Eric Kalivoda, DOTD, 1201 Capitol Access Road, Baton Rouge, LA 70802, (225) 379-1200, spoke for information only.

Mr. Chris Knotts, DOTD, 1201 Capitol Access Road, Baton Rouge, LA 70802, (225) 379-1200, spoke for information only.

Mr. David Miller, DOTD, 1201 Capitol Access Road, Baton Rouge, LA 70802, (225) 379-1200, spoke for information only.

Representative Firment offered a motion to report House Bill No. 62 favorably, to which Representative Brass objected. The administrative assistant called the roll, and the motion failed by a vote of 6 yeas and 7 nays. Representatives Cormier, Edmonston, Firment, Horton, Marino, and Robert Owen voted yea. Representatives Wright, Brass, Freiberg, Larvadain, Charles Owen, Schamerhorn, and Selders voted nay.

House Bill No. 810 by Representative Brown

Representative Brown presented House Bill No. 810, which creates the "International Association of Firefighters" specialty license plate.

Chad Major, Professional Firefighters of Louisiana, 8011 Merle Gustafson Drive, Baton Rouge, LA 70807, (225) 354-1400, spoke in support of House Bill No. 810.

Representative Horton offered a motion to report House Bill No. 810 favorably. Without objection, House Bill No. 810 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Wright, Brass, Cormier, Edmonston, Firment, Freiberg, Gadberry, Horton, Larvadain, Marino, Charles Owen, Robert Owen, Schamerhorn, and Selders 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.

House Bill No. 337 by Representative Hilferty

Representative Hilferty presented House Bill No. 337, which establishes a special identification card designation for persons with autism spectrum disorder.

Representative Larvadain offered a motion to report House Bill No. 337 favorably. Without objection, House Bill No. 337 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Wright, Brass, Cormier, Edmonston, Firment, Freiberg, Gadberry, Horton, Larvadain, Marino, Charles Owen, Robert Owen, Schamerhorn, and Selders voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support and 3 for information only. Witness cards are included in the committee records.

House Bill No. 421 by Representative Miller

Chairman Wright announced that action on House Bill No. 421, which establishes minimum requirements for a levee commissioner, was voluntarily deferred.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Edmonston offered a motion to adjourn. Without objection, the motion passed by a vote of 14 yeas and 0 nays. Representatives Wright, Brass, Cormier, Edmonston, Firment, Freiberg, Gadberry, Horton, Larvadain, Marino, Charles Owen, Robert Owen, Schamerhorn, and Selders voted yea.

The meeting was adjourned at 11:57 a.m.

Respectfully submitted,

Chairman Mark Wright
House Committee on Transportation, Highways and Public Works

Date adopted: