

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: SB 332 SLS 18RS 507

Bill Text Version: ENGROSSED

Opp. Chamb. Action: w/ HSE FLOOR AMD

Proposed Amd.:

Sub. Bill For.: REVISED

Date: May 18, 2018	2:34 PM	Author: CORTEZ
Dept./Agy.: DOTD		
Subject: Requires posting DOTD project information to internet		Analyst: Alan M. Boxberger

CONTINUED EXPLANATION from page one:
EXPENDITURE EXPLANATION CONTINUED FROM PAGE 1

permits to TNC drivers. Proposed law establishes requirements and operating parameters for Transportation Network Companies (TNC) offering service in the state of Louisiana.

Proposed law provides that a person shall not operate a company in this state without first obtaining a TNC permit from DOTD. The LFO and DOTD assume that each individual operator may be considered a "company" and require a permit. DOTD is unable to determine the scope or volume of TNCs requiring permits or the level of regulatory activities that would accompany those operations. DOTD reports that it will realize a workload impact associated with promulgating rules to provide for implementation and enforcement of proposed law, and will realize an indeterminable, but potentially significant workload impact associated with permitting TNCs to operate in Louisiana. To the extent that such permitting activities cannot be absorbed within the existing permitting function at DOTD, the department may require additional budgetary and staff resources. To the extent the number of such TNC operators may expand or shrink significantly in the future, expenditures relating to the permitting function may be impacted in a corresponding manner.

Propose law requires certain audit functions to be performed by DOTD, which will result in an indeterminable, but potentially significant workload impact. DOTD will be required to audit companies no more than annually to determine compliance with the requirements of proposed law and will be required to submit copies of the audit reports to local governmental subdivisions upon request. Proposed law authorizes DOTD to investigate and resolve specific complaints against any driver or company. DOTD shall also have sole audit authority with respect to fees remitted by TNCs to local governmental subdivisions. DOTD is unable to estimate the workload that may be required as a result of the prescribed audit and investigative functions, but to the extent the workload created cannot be absorbed with existing resources the department would require indeterminable additional budgetary and staff resources.

NOTE: For the expenditure obligations reported above, to the extent that DOTD is unable to fully recover all potential costs through permitting fees (assumed by the LFO to be established in accordance with the Administrative Procedure Act), the department would be required to utilized other means of finance to fund these expenditure obligations. It is unclear whether this activity would be an allowable use of the Transportation Trust Fund (TTF). To the extent the TTF could not be used for these purposes, DOTD would be required to identify an alternative means of funding this activity or may require a SGF (Direct) appropriation.

Proposed law preempts existing local ordinances with regard to permitting of TNCs. This will likely result in an indeterminable decrease in permitting activities within certain municipalities that currently have ordinances involving the issuance of permits governing the operation of TNCs.

Proposed law provides that municipalities that include per-trip fees established by local governmental authorities statewide as of March 1, 2018, are authorized to impose fees up to or equal to the per trip fee imposed by the local ordinance as of March 1, 2018, but restricts any other fees or taxes. Proposed law may result in an indeterminable impact on local governmental operations and expenditures if those subdivisions currently collect any fee or tax other than one based on a per-trip fee on intrastate prearranged rides and use those monies for general operations.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

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