

2018 Regular Session

HOUSE BILL NO. 465

BY REPRESENTATIVE CONNICK

FUNDS/FUNDING: Changes the dedication of a portion of the truck and trailer fees collected in certain parishes and creates the Regional Maintenance and Improvement Fund

1 AN ACT

2 To amend and reenact R.S. 47:481 and R.S. 48:196(A)(introductory paragraph) and 197 and  
3 to repeal R.S. 48:25.2(D), relative to certain registration and license fees and taxes  
4 collected on trucks and trailers; to provide for the collection, deposit, and  
5 appropriation of such registration and license fees and taxes collected in certain  
6 parishes; to create the Regional Maintenance and Improvement Fund; to provide for  
7 the deposit, use, and investment of monies in the fund; to provide for the New  
8 Orleans Ferry Fund; to repeal the termination date of the New Orleans Ferry Fund;  
9 and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 47:481 is hereby amended and reenacted to read as follows:

12 §481. Disposition of collections

13 Except as provided in R.S. 47:480, all fees and taxes provided for in this  
14 Chapter, including the permit fees, shall be paid to the state treasurer on or before the  
15 tenth day of each month following their collection and shall be credited to the  
16 account of the Transportation Trust Fund, the State Highway Improvement Fund,  
17 state highway fund No. 2, ~~and~~ the New Orleans Ferry Fund, and the Regional  
18 Maintenance and Improvement Fund, as provided by law.

19 Section 2. R.S. 48:196(A)(introductory paragraph) and 197 are hereby amended and  
20 reenacted to read as follows:

1 §196. State Highway Improvement Fund

2 A. There is hereby created, as a special fund in the state treasury, the State  
3 Highway Improvement Fund, hereinafter referred to as the "fund." The source of  
4 monies in this fund shall be registration and license fees and taxes collected by the  
5 state pursuant to R.S. 47:462, and as provided in R.S. 47:481, in such amounts as  
6 remain after payment of amounts due on bonds and related expenses as provided in  
7 the documents pursuant to which the bonds were issued under the provisions of R.S.  
8 48:196.1. Beginning July 1, 2007, and each fiscal year thereafter, after satisfaction  
9 of the requirements of the provisions of R.S. 48:196.1 and compliance with the  
10 requirements of Article VII, Section 9(B) of the Constitution of Louisiana, and after  
11 making the allocation for state highway fund No. 2, ~~and the New Orleans Ferry~~  
12 ~~Fund, and the Regional Maintenance and Improvement Fund,~~ the treasurer shall  
13 deposit into the fund the following amounts:

14 \* \* \*

15 §197. Motor vehicle license tax; ~~Transportation Trust Fund~~ Regional Maintenance  
16 and Improvement Fund

17 A.(1) Beginning From January 1, 2013, ~~and each fiscal year thereafter,~~  
18 through June 30, 2018, after compliance with the requirements of Article VII,  
19 Section 9(B) of the Constitution of Louisiana, and after making the allocation for  
20 state highway fund No. 2, the treasurer shall deposit into the Transportation Trust  
21 Fund fifty percent of all funds derived from the collection of registration and license  
22 fees and taxes collected by the state pursuant to R.S. 47:462, and as provided in R.S.  
23 47:481, in the parishes of Orleans, Jefferson, St. John the Baptist, St. Charles,  
24 Tangipahoa, and St. Tammany.

25 (2) Beginning July 1, 2018, and each fiscal year thereafter, after compliance  
26 with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana,  
27 after making the allocation for state highway fund No. 2 for the Greater New Orleans  
28 Expressway Commission, and after making the allocation for the New Orleans Ferry  
29 Fund pursuant to R.S. 48:25.2, the treasurer shall deposit into the Transportation

1 Trust Fund fifty percent of the remaining monies derived from the collection of  
2 registration and license fees and taxes collected by the state pursuant to R.S. 47:462,  
3 and as provided in R.S. 47:481, in the parishes of Jefferson, St. Charles, St. John the  
4 Baptist, Tangipahoa, and St. Tammany.

5 B. There is hereby created, as a special fund in the state treasury, the  
6 Regional Maintenance and Improvement Fund, hereinafter referred to as the "fund".  
7 Beginning July 1, 2018, and each fiscal year thereafter, after compliance with the  
8 requirements of Article VII, Section 9(B) of the Constitution of Louisiana, after  
9 making the allocation for state highway fund No. 2 for the Greater New Orleans  
10 Expressway Commission, and after making the allocation for the New Orleans Ferry  
11 Fund pursuant to R.S. 48:25.2, the treasurer shall deposit into the fund fifty percent  
12 of the remaining monies derived from the collection of registration and license fees  
13 and taxes collected by the state pursuant to R.S. 47:462, and as provided in R.S.  
14 47:481, in the parishes of Jefferson, St. Charles, St. John the Baptist, Tangipahoa,  
15 and St. Tammany.

16 C. The monies in the fund shall be subject to an annual appropriation by the  
17 legislature and shall be used only as provided in Subsection D of this Section. The  
18 monies in the fund shall be invested by the treasurer in the same manner as the  
19 monies in the state general fund, and all interest earned shall be deposited and  
20 credited to the fund. All unexpended or unencumbered monies remaining in the fund  
21 at the end of the fiscal year shall remain to the credit of the fund.

22 D. Monies appropriated from the fund shall be used exclusively for  
23 maintenance and improvements of state highways in the respective parishes. Monies  
24 collected in the parishes of Jefferson, Tangipahoa, and St. Tammany shall be  
25 appropriated to the Regional Planning Commission. Monies collected in the parishes  
26 of St. Charles and St. John the Baptist shall be appropriated to the South Central  
27 Planning and Development Commission.

28 Section 3. R.S. 48:25.2(D) is hereby repealed in its entirety.

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

7 Section 5. Sections 1 and 2 of this Act shall become effective on July 1, 2018; if  
8 vetoed by the governor and subsequently approved by the legislature, Sections 1 and 2 of  
9 this Act shall become effective on July 1, 2018, or on the day following such approval by  
10 the legislature, whichever is later.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 465 Original

2018 Regular Session

Connick

**Abstract:** Changes the dedication of motor vehicle license taxes on trucks and trailers collected in Jefferson, St. Charles, St. John the Baptist, Tangipahoa, and St. Tammany parishes from the Transportation Trust Fund to the Regional Maintenance and Improvement Fund and repeals the termination date for the New Orleans Ferry Fund.

Present law dedicates 50% of all motor vehicle license taxes collected in Orleans, Jefferson, St. Charles, St. John the Baptist, Tangipahoa, and St. Tammany parishes to state highway fund No. 2 for the Greater New Orleans Expressway Commission.

Present law (R.S. 48:197) dedicates 50% of motor vehicle license taxes on trucks and trailers collected in Orleans, Jefferson, St. Charles, St. John the Baptist, Tangipahoa, and St. Tammany parishes to the Transportation Trust Fund.

Proposed law terminates the 50% dedication to the Transportation Trust Fund in present law beginning on July 1, 2018, and instead dedicates 50% of the motor vehicle license taxes on trucks and trailers collected in Jefferson, St. Charles, St. John the Baptist, Tangipahoa, and St. Tammany parishes, net of allocations to the Bond Security and Redemption Fund, state highway fund No. 2, and the New Orleans Ferry Fund, into the newly created Regional Maintenance and Improvement Fund and 50% into the Transportation Trust Fund.

Proposed law creates the Regional Maintenance and Improvement Fund as a special treasury fund. Provides that monies in the fund shall be appropriated exclusively for maintenance and improvement for state highways in the parish in which the monies are collected. Provides for the appropriation of Jefferson, Tangipahoa, and St. Tammany parish collections to the Regional Planning Commission and the appropriation of St. Charles and St. John the Baptist parish collections to the South Central Planning and Development Commission.

Present law (R.S. 48:25.2) dedicates a portion of the motor vehicle license tax on trucks and trailers collected in Orleans Parish to the New Orleans Ferry Fund. Present law creating the New Orleans Ferry Fund terminates on June 30, 2018.

Proposed law repeals the termination date of the New Orleans Ferry Fund in present law.

Repeal of the termination of the New Orleans Ferry Fund effective upon signature of the governor. Remaining provisions or proposed law effective July 1, 2018.

(Amends R.S. 47:481 and R.S. 48:196(A)(intro. para.) and 197; Repeals R.S. 48:25.2(D))