

ACT No. 474

2024 Regular Session

HOUSE BILL NO. 544

BY REPRESENTATIVE BOYD

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AN ACT

To amend and reenact R.S. 48:1655(A)(1)(introductory paragraph) and (c) and (2) and 1656(8) and (23) and to enact R.S. 48:1656(24) through (26) and 1656.1, relative to the Regional Transit Authority Board of commissioners requirements; to provide for certain powers, authority, and membership of the board; to provide relative to the composition of the Regional Transit Authority Advisory Board; to authorize the audit of the Regional Transit Authority; to provide an effective date; to provide for the creation of an advisory board to advise and make recommendations to the authority; to provide for penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 48:1655(A)(1)(introductory paragraph) and (c) and (2) and 1656(8) and (23) are hereby amended and reenacted and R.S. 48:1656(24) through (26) and 1656.1 are hereby enacted to read as follows:

§1655. Board of commissioners; membership; terms

A.(1) The board of commissioners of the authority shall be composed of three members from each participating parish appointed by the chief executive officer of that parish, subject to the approval of its governing authority, one member appointed by the New Orleans City Council, one member appointed from House District 102 by the state representative representing the district beginning on September 1, 2024, and this appointment shall rotate every four years thereafter between the member appointed from the house district and a member appointed from Senate District 7 by the state senator representing the district, and two members appointed by the chief executive officer of the parish with the greatest percentage of

1 public transit revenue operating miles from recommendations of the legislative
2 delegation of that parish as follows:

3 * * *

4 (c)(i) In the event the senators or representatives of that parish's legislative
5 delegation fail to submit a list of names to the chief executive officer of that parish
6 within thirty days of the date on which notice to submit such list of names is sent to
7 the senators or representatives of that parish's legislative delegation, then the chief
8 executive officer of that parish shall appoint such member as would have been
9 authorized for the senators or representatives of that parish's legislative delegation.

10 (ii) If any participating parish opts out of the Regional Transit Authority
11 after August 1, 2024, the mayor or governing authority shall have the power to
12 appoint two new members to the board.

13 (2) Each member appointed by the chief executive officer of a parish shall
14 be domiciled within the parish. Further, each member appointed to the authority by
15 the parish legislator shall possess the minimum transit expertise standards and
16 required training and previous union experience. The transit minimum standards
17 shall be established by the board of commissioners by January 1, 2025, and shall
18 then apply to all newly appointed commissioners.

19 * * *

20 §1656. General powers

21 The authority shall have all powers necessary or convenient to accomplish
22 the aforesaid purposes, including but not limited to the following:

23 * * *

24 (8) The power to make and execute all contracts and other instruments
25 necessary or convenient to the exercise of the powers of the authority, including the
26 power to contract for managerial and operating services, provided that management
27 and labor attempt to resolve all contracts bilaterally before involving a mediator.

28 * * *

29 (23) The power to require quarterly reporting of the Regional Transit
30 Authority funds and functioning.

1 (24) The power to establish and address situations where the Regional
2 Transit Authority violates state and city laws and establish penalties.

3 (25) The power to establish an investigative committee for the following:
4 probe waste, bid rigging, abuse of employees, and labor law violations.

5 (26) Notwithstanding the provisions of any other law to the contrary,
6 including the provisions of R.S. 45:161 et seq., the authority created herein and any
7 entity contracted to manage or operate the authority shall not be deemed a "person"
8 as defined in R.S. 45:162 or a "common carrier" as defined in R.S. 45:162 nor shall
9 the authority or any entity contracted to manage or operate the authority be construed
10 or interpreted to be such. Additionally, the authority and any entity contracted to
11 manage or operate the authority shall not be deemed to be a common carrier, or
12 interpreted to be such by any court of this state in a suit for personal injury or
13 property damage.

14 §1656.1. The Regional Transit Authority Advisory Board; creation; composition;
15 powers

16 A. The Regional Transit Authority Advisory Board, hereinafter referred to
17 as the "advisory board", is hereby created to assist the Regional Transit Authority
18 and shall have the purpose, composition, duties, and functions provided in this
19 Section.

20 B.(1) The purpose of the advisory board is to advise and make
21 recommendations to the Regional Transit Authority in making informed decisions
22 regarding the functions outlined in R.S. 48:1654(B).

23 (2) To ensure the advisory board can function effectively, the following
24 powers and functions shall be vested in the board:

25 (a) Full and unrestricted access to all written information, documents, data
26 which are before the Regional Transit Authority board of commissioners and its
27 committees. However, this Subparagraph does not include items that are covered by
28 the executive session proceedings.

1 **(b) The power to request written briefings, presentation reports, and any**
 2 **other information as needed from the staff of the Regional Transit Authority in**
 3 **making informed decisions regarding the functions outlined in R.S. 48:1654(B).**

4 **(c) The power to adopt formal recommendations regarding any such matter**
 5 **which shall be presented on the record at commission meetings prior to a vote.**
 6 **However, the advisory board shall not have the power to vote.**

7 **(3) The advisory board shall be required to meet quarterly with the board of**
 8 **commissioners.**

9 **C. The advisory board shall be composed of eleven persons as follows:**

10 **(1) An employee of the Regional Transit Authority appointed by the chief**
 11 **executive officer.**

12 **(2) A local member of the Amalgamated Transit Union who works for the**
 13 **Regional Transit Authority appointed by the president and business agent.**

14 **(3) A member from Ride New Orleans appointed by the executive officer.**

15 **(4) The president of each of the following universities: Loyola University,**
 16 **Tulane University, Xavier University, Dillard University, Southern University at**
 17 **New Orleans, the University of New Orleans, and the University of Holy Cross.**

18 **(5) Two members appointed by the president of the Louisiana American**
 19 **Federation of Labor and Congress of Louisiana Industrial Organizations.**

20 **D. All appointed members of the board shall receive at least two hours of**
 21 **transit-specific training in the duties, responsibilities, ethics and substance of the**
 22 **positions held and two hours of training on labor and union relations best practices,**
 23 **either before taking office or no later than one year after the office is assumed. All**
 24 **training shall be formally approved by the board and ratified by each participating**
 25 **parish or city legislative body.**

26 **E. Any city or parish with appointments and representation on the Regional**
 27 **Transit Authority board of commissioners shall have the authority to audit the**
 28 **Regional Transit Authority or hire a third party to perform the audit. All records and**
 29 **information requested in the audit shall be provided in an expedited manner by the**

1 Regional Transit Authority. A city or parish council may levy fines on the Regional
2 Transit Authority.

3 Section 2. The provisions of this Act shall become effective on August 1, 2024.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____