

\$36,000 are associated with updating return processing equipment and software. This proposed rule amends the individual income tax tables (LAC 61.I.1310) and the withholding tables and formulas (LAC 61.I.1501).

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The Louisiana Department of Revenue (LDR) estimates that the proposed rule will result in a net tax revenue decrease in FY21-22 and beyond. The revenue decrease will be state general fund revenue. Though the effective date of the proposed rule is 6/20/22, the proposed rule is making permanent an emergency rule published in December 2021 with an effective date of 1/1/22. Therefore, the impact begins in FY 21-22 with reduced withholdings. This proposed withholding and tax table amendment decreases the withholding and tax liability amounts starting with tax year 2022 to account for the lower tax rates authorized in Act 395 of the 2021 Regular Session. Withholding tables also adjust for a partial impact from the elimination of the federal income tax deduction included in Act 395 because the initial table formulas included an estimate for the deduction. Beginning in FY 23-24, triggers in Act 395 will determine if the tax rate is lowered further in subsequent years and, if so, could reduce state revenue more. Though Act 395 also significantly lowers the excess itemized deduction and eliminates the federal income tax deduction, these impacts are not included in the proposed amendments (except as an adjustment to withholdings) as the use is subject to individual taxpayer circumstance. All impacts of Act 395 analyzed together resulted in essentially a budget neutral bottom line for the state from tax year 2022. These tables only deal with a part of that law so do not reflect revenue neutrality when considered alone.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

Employers and individual taxpayers will be affected by the proposed action. For employers, LDR does not have the information necessary to determine the additional costs, if any, to comply with this change, but these costs are expected to be minimal. The tax costs of individual taxpayers are anticipated to decrease, though the total impact from Act 395 of 2021RS is subject to the unique circumstances surrounding individual taxpayers' taxable income.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule amendment is not expected to have any effect on competition or employment.

Kevin J. Richard, CPA
Secretary
2203#061

Evan Brasseaux
Interim Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Transportation and Development
Office of Multimodal Commerce**

**State Safety Oversight for Rail Fixed Guideway Public
Transportation Systems (LAC 70:IX.Chapter 15)**

Notice is hereby given in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 48:214, that the Department of Transportation and Development, Office of Multimodal Commerce, State Safety Oversight Division amends the rules for State Safety Oversight for Rail Fixed Guideway Public Transportation Systems. These amendments update the code to be compliant with the most

current issue of the National Transit Database Safety and Security Policy Manual. The proposed rule revision updates the State Safety Oversight Program Standard (SSOPS) required by 49 CFR Part 674 State Safety Oversight, to address a full transition from federal rule 49 CFR Part 659 to, 49 CFR Parts 673 and 674, as published by the Federal Transit Administration (FTA). Specifically, to transition references from 49 CFR Part 659 to refer to 49 CFR Part 673, and to update Accident Reporting requirements to reflect updated reportable thresholds contained in FTA Safety and Security Reporting Policy Manual. Consequently, there will be no impact to the public, businesses, local or state governmental entities.

Title 70

TRANSPORTATION

Part IX. Intermodal Transportation

**Chapter 15. State Safety Oversight for Rail Fixed
Guideway Public Transportation Systems
§1509. Oversight of RTA Safety Plans and Internal
Safety Reviews**

A. RTA Safety Plan Review. The RTA is required to develop and submit a safety plan to the SSOA for its review and written approval. The safety plan must be compliant with the SSOPS, any federal rules (i.e., 49 C.F.R. Part 673 and 49 U.S.C. 5329(d)) specifically addressing RTA safety plans, any specific guidance found in the SSOA procedures manual, and other guidance provided through FTAs national public transportation safety plan. The SSOA may require changes to safety plan based on changes in federal or state requirements, audit results, inspections, investigations, or findings based on safety data analysis. After written notification from the SSOA for safety plan modifications, the RTA and SSOA will determine a reasonable timeline for completing the revision(s). The RTA must assess its safety plan annually and revise it as needed to reflect changes in the organization, procedures, equipment, facilities, and operating environment. The RTA must submit any revisions to the SSOA to ensure compliance with the SSOPS. The SSOA will complete a compliance review of the safety plan within 30 calendar days of receipt, or notify the RTA if additional time is needed. If the RTA safety plan complies with the SSOPS and other guidance as necessary, the SSOA will issue a written approval of the safety plan (along with appropriate checklists) and request that the RTA send a final copy of the safety plan with appropriate signatures and other endorsements as required. The safety plan and any revisions to the safety plan must be approved by the RTA Board of Commissioners and signed by a designee of the RTA Board of Commissioners. The approved RTA safety plan remains in effect until another such safety plan or revisions to the existing safety plan is/are submitted and approved in accordance with this SSOPS. If the SSOA determines that the submitted safety plan does not meet the requirements of the SSOPS or other appropriate guidance, a written rejection of the safety plan will be sent to the RTA along with a description (comments and appropriate checklists) of necessary changes to gain approval. The RTA will make such changes in an expeditious manner, unless otherwise specified in the rejection letter. The RTA may request a meeting with the SSOA to discuss the safety plan review comments. In the event the RTA objects to a noted deficiency or requested change from the SSOA, a written

notice of the objections and suggested alternatives will be provided to the SSOA within 30 days. Both the SSOA and the RTA must agree on an appropriate course of action or the SSOA will follow the escalation procedures.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 44:924 (May 2018), amended LR 48:

§1513. Accident Notification

A. - A.1.v. ...

c. *substantial damage*—damage to any involved vehicles, facilities, equipment, rolling stock, or infrastructure that disrupts the operations of the rail transit agency and adversely affects the structural strength, performance, or operating characteristics of the asset, such that it requires towing, rescue, on-site maintenance, or immediate removal prior to safe operation;

d. a collision involving a rail transit vehicle that:

- i. meets an injury, fatality, substantial damage, or evacuation threshold;
- ii. includes suicides or attempted suicides that involve contact with a transit vehicle;
- iii. occurs at a rail grade crossing;
- iv. involves an individual in the right-of-way;
- v. involves a rail transit vehicle and a second rail transit vehicle; or
- vi. includes collisions that do not involve a transit revenue vehicle but meet a threshold.

e. a runaway train.

f. an evacuation for life safety reasons.

g. any derailment of a rail transit vehicle, at any location, at any time, whatever the cause.

A.2. - B.15. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 44:925 (May 2018), amended LR 48:

§1521. Procedures Manual Content

A. - A.2.k. ...

B. Minimum Safety Standards. RTA system safety and security related documents in effect January 2021.

Document	Current Version
Rail Maintenance Plan	May 2019
Vehicle Maintenance Plan	May 2019
Facilities Maintenance Plan	June 2019
Infectious Disease/Pandemic Plan	May 2020
Company Policies	August 2021
Employee Onboarding Handbook	November 2021
Employee Code of Conduct	November 2021
COVID-19 Plan	February 2021
Procurement Manual	October 2020
Safety Department SOPs	March 2021
RTA SOPs	In effect January 2021

C. Safety Plan Review

1. RTA system safety program plan must be compliant with 49 CFR Part 673.

2. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 44:928 (May 2018), amended LR 48:

Family Impact Statement

Implementation of this proposed Rule should not have any known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability, and autonomy. Specifically:

- 1. The implementation of this proposed Rule will have no known or foreseeable effect on the stability of the family.
- 2. The implementation of this proposed Rule will have no known or foreseeable effect on the authority and rights of parents regarding the education and supervision of their children.
- 3. The implementation of this proposed Rule will have no known or foreseeable effect on the functioning of the family.
- 4. The implementation of this proposed Rule will have no known or foreseeable effect on the family earnings and family budget.
- 5. The implementation of this proposed Rule will have no known or foreseeable effect on the behavior and personal responsibility of children.
- 6. The implementation of this proposed Rule will have no known or foreseeable effect on the ability of the family or local government to perform this function.

Poverty Impact Statement

The implementation of this proposed Rule should not have any known or foreseeable impact on child, individual, or family poverty in relation to individual or community asset development as defined by R.S. 49:973. Specifically,

- 1. The implementation of this proposed Rule will have no known or foreseeable effect on household income, assets, and financial security.
- 2. The implementation of this proposed Rule will have no known or foreseeable effect on early childhood development and preschool through postsecondary education development.

Document	Current Version
2021 Agency Safety Plan (ASP)	March 2021
Security and Emergency Preparedness Plan (SEPP)	April 2021
Hurricane Emergency Preparedness Plan (HEPP)	April 2021
Operations Manual	In development
Continuity of Operations Plan (COOP) (in revision)	June 2020
Roadway Worker Protection Manual (RWPM)	In development
Safety and Security Certification Program Plan	August 2017
Transit Asset Management Plan	September 2018
Streetcar Operator Manual	2016
Dispatchers Training Manual	2016 (revisions in development)

3. The implementation of this proposed Rule will have no known or foreseeable effect on employment and workforce development.

4. The implementation of this proposed Rule will have no known or foreseeable effect on taxes and tax credits.

5. The implementation of this proposed Rule will have no known or foreseeable effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

The implementation of this proposed Rule on small businesses, as defined in the Regulatory Flexibility Act, has been considered. The proposed Rule is not expected to have a significant adverse impact on small businesses. The department, consistent with health, safety, environmental, and economic welfare factors, has considered and, where possible, utilized regulatory methods in the drafting of the proposed Rule that will accomplish the objectives of the proposed statutes while minimizing the adverse impact of the Rule on small businesses.

Provider Impact Statement

The implementation of this proposed Rule does not have any known or foreseeable impact on a provider as defined by House Concurrent Resolution No. 170 of the 2014 Regular Session of the Louisiana State Legislature. Specifically:

1. The implementation of this proposed Rule does not have any known or foreseeable impact on the staffing level requirements or qualifications required to provide the same level of service.

2. The implementation of this proposed Rule does not have any known or foreseeable impact on the total direct and indirect effect on the cost to a provider to provide the same levels of service.

3. The implementation of this proposed Rule does not have any known or foreseeable impact on the overall effect on the ability of a provider to provide the same level of service.

Public Comments

All interested persons so desiring shall submit oral or written data, views, comments, or arguments no later than 20 days from the date of publication of this notice of intent to Kevin Lawson, State Safety Oversight Program Manager, Department of Transportation and Development, P.O. Box 94245, Baton Rouge, LA 70804-9245. Telephone (225) 379-3032.

Shawn D. Wilson, Ph.D.
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: State Safety Oversight for Rail Fixed Guideway Public Transportation Systems

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There are no estimated implementation costs or savings to state or local governmental units associated with the proposed rule revision. The Louisiana Department of Transportation and Development (LADOTD) was designated as the State Safety Oversight Agency (SSOA) for rail fixed guideway public

transportation systems (RFGPTS) in the state, in accordance with 49 U.S.C. 5329(e) and by legislation enacted in 2014 under Louisiana Revised Statute 48:214.

The proposed rule revision updates the State Safety Oversight Program Standard (SSOPS) required by 49 CFR Part 674 State Safety Oversight, to address a full transition from federal rule 49 CFR Part 659 to 49 CFR Parts 673 and 674, as published by the Federal Transit Administration (FTA).

If the rule revision is not promulgated and the SSO program is not revised to address these changes by March 15, 2022, the upcoming triennial audit by FTA of the SSO program will result in a finding of non-compliance for the program standard.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no anticipated effect on revenue collections of state or local governmental units as a result of this proposed rule revision.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

There are no anticipated costs and/or economic benefits to directly affected persons or non-governmental groups as a result of this proposed rule revision.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated effect on competition and employment as a result of this proposed rule.

Shawn Wilson, Ph.D.
Secretary
2203#025

Alan M. Boxberger
Interim Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Wildlife and Fisheries
Wildlife and Fisheries Commission**

**Commercial and Recreational Harvest of Southern Flounder
(LAC 76:VII.351 and 353)**

The Wildlife and Fisheries Commission does hereby give notice of intent to amend two Rules (LAC 76:VII.351 and 353) by modifying existing southern flounder harvest regulations. Proposed changes establish a closed season for the commercial and recreational harvest of southern flounder from October 15 through November 30 of each year. Proposed changes eliminate outdated commercial rules established during a transitional time as some commercial gears were being banned. Authority for modification of this Rule is included in the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 56:6(25)(a), R.S. 56:313, R.S. 56:320, R.S. 56:320.2, R.S. 56:326, R.S. 56:326.1, R.S. 56:326.3, and R.S. 56:492 to the Wildlife and Fisheries Commission.

The Secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this Notice of Intent, including but not limited to, the filing of the Fiscal and Economic Impact Statement, the filing of the Notice of Intent and compiling public comments and submissions for the commission's review and consideration. In the absence of any further action by the commission following an opportunity to consider all public comments regarding the