

Louisiana Property and Casualty Insurance Commission
Notice of Meeting and Agenda
Wednesday, October 11, 2017 at 10:00 A.M.
Department of Insurance—Plaza Hearing Room—Poydras Building

- I. Call to Order—Chairman**
- II. Roll Call—Director**
- III. Discussions and Presentations**
 - A. Presentation by Dan Jatres of the New Orleans Transportation Safety Coalition on the “Move It Law” (La. R.S. 32:141(D); text attached) and a recommendation to include information on the Move It Law on proof of insurance cards. (15-30 minutes)**
 - B. Presentation by Debra Ballen, General Counsel and SVP of Public Policy, Insurance Institute for Business & Home Safety, on building codes and the effects of Executive Order JBE 17-14 (text attached) on the maintenance of the Louisiana Uniform Construction Code. (60-90 minutes)**
- IV. Any Other Matters and Public Comments**
- V. Dates for Future Meetings—November 8, 2017, December 13, 2017, and January 10, 2018. All at 10:00 a.m. in the Plaza Hearing Room, Poydras Building, 1702 N. Third Street, Baton Rouge (Louisiana Department of Insurance).**
- VI. Adjournment**

Move It Law—La. R.S. 32:141(D)

§141. Stopping, standing, or parking outside business or residence districts

A. Upon any highway outside of a business or residence district, no person shall stop, park, or leave standing any vehicle, whether attended or unattended, upon the paved or main traveled part of the highway when it is practicable to stop, park or so leave such vehicle off such part of said highway, but in every event an unobstructed width of the highway opposite a standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicles shall be available from a distance of two hundred feet in each direction upon such highway.

B. The provisions of this Section shall not apply to the driver of any vehicle which is disabled while on the main traveled portion of a highway so that it is impossible to avoid stopping and temporarily leaving the vehicle in that position. However, the driver shall remove the vehicle as soon as possible, and until it is removed it is his responsibility to protect traffic.

C. The driver of any vehicle left parked, attended or unattended, on any highway, between sunset and sunrise, shall display appropriate signal lights thereon, sufficient to warn approaching traffic of its presence. If the vehicle is not removed from the highway within twenty-four hours, the provisions of R.S. 32:473.1(B) shall apply.

D. In the event of a motor vehicle accident, if the driver is not prevented by injury and the vehicle is not disabled by the accident, or the accident has not resulted in serious injury or death of any person, the driver shall remove the vehicle from the travel lane of the highway to the nearest safe shoulder. Compliance with the provisions of this Subsection shall in no way be interpreted as a violation of requirements to remain at the scene of an accident as provided for in the Highway Regulatory Act or by R.S. 32:414.*

Acts 1962, No. 310, §1; Acts 1995, No. 1133, §1; Acts 2001, No. 401, §1; Acts 2008, No. 429, §1, eff. June 21, 2008.

*As appears in enrolled bill.

EXECUTIVE ORDER

JBE 17-14

Suspension of Rule and Regulation Promulgation by the Louisiana State Uniform Construction Code Council

WHEREAS, on March 10, 2016, pursuant to La. R.S. 29:724(B)(1), 31 JBE 2016 was issued, declaring a state of emergency as a result of severe weather, and which was renewed most recently by 63 JBE 2017;

WHEREAS, pursuant to La. R.S. 29:724(B)(1), on August 12, 2016, 111 JBE 2016 was issued, declaring a state of emergency due to the heavy rain and flooding, and on August 22, 2016, pursuant to La. R.S. 29:766(B), 116 JBE 2016 was issued, declaring a state of public health emergency in the following parishes affected by the historic flooding: Acadia, Ascension, Assumption, Avoyelles, Cameron, East Baton Rouge, East Feliciana, Evangeline, Iberia, Iberville, Jefferson Davis, Lafayette, Livingston, Pointe Coupee, St. Charles, St. Helena, St. James, St. John the Baptist, St. Landry, St. Martin, St. Tammany, Tangipahoa, Vermilion, Washington, West Baton Rouge and West Feliciana, which was renewed most recently by 64 JBE 2017;

WHEREAS, as provided for by La. R.S. 40:1730.21, the public policy of Louisiana is to maintain reasonable standards of construction in buildings and other structures consistent with the public health, safety, and welfare of its citizens, with an aim to provide “reasonable safeguards for the health, safety, welfare, comfort, and security, balanced with affordability for the residents of this state who are occupants and users of buildings...”;

WHEREAS, Louisiana Revised Statute 40:1730.28 provides for the mandatory adoption of certain codes and standards by the Louisiana State Uniform Construction Council, including and as qualified within this statute, the International Building Code; International Existing Building Code; International Residential Code; International Mechanical Code; International Plumbing Code; International Fuel Gas Code; and the National Electric Code;

WHEREAS, the Louisiana State Uniform Construction Code Council has filed a notice of intent, pursuant to La. R.S. 40:1730.26 and La. R.S. 40:1730.28, to replace currently adopted construction codes with the 2015 editions of the *International Building Code*, *International Residential Code*, *International Plumbing Code*, *International Existing Building Code*, *International Fuel Gas Code* and *International Mechanical Code*, and the 2014 edition of the *National Electric Code*;

WHEREAS, Louisiana Revised Statute 29:724 and La. R.S. 29:766 confer upon the Governor emergency powers to deal with emergencies and disasters in order to ensure that preparations of this State will be adequate to deal with such emergencies or disasters, and to preserve the lives and property of the citizens of the State of Louisiana, including the authority to suspend the provisions of any regulatory statute prescribing the

procedures for the conduct of state business, or the orders, rules, or regulations of any state agency, if strict compliance with the provisions of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;

WHEREAS, multiple residents experienced extensive damage to property as a result of the severe weather referenced in the above-cited proclamations, and currently, citizens across the State of Louisiana are in various stages of rebuilding and repairing their homes and businesses; and

WHEREAS, changes to the Uniform Construction Code would hinder or delay effective response and recovery to the emergency conditions, and there is a need to assist the citizens of Louisiana by providing for stability in certain construction standards and requirements as they rebuild and repair property.

NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: The authority of the Louisiana Construction Code Council is hereby suspended from adopting and replacing the currently adopted construction code with the 2015 editions of the *International Building Code*, *International Residential Code*, *International Plumbing Code*, *International Existing Building Code*, *International Fuel Gas Code* and *International Mechanical Code*, and the 2014 edition of the *National Electric Code*.

SECTION 2: This Order is effective upon signature and shall remain in effect until June 1, 2018.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the City of Baton Rouge, on this 14th day of June, 2017.

John Bel Edwards
Governor

ATTEST BY
THE GOVERNOR
Tom Schedler
Secretary of State