

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 374

2022 Regular Session

Beaulieu

ENVIRONMENT/WASTE TIRES: Increases the fine for gross littering of tires and failure to obtain a generator identification number

Synopsis of Senate Amendments

1. Reauthorizes the fee on tires for funding the Waste Tire Management Dedicated Fund Account and removes the original implementation and sunset dates.
2. Authorizes the secretary to use of monies in the Waste Tire Management Dedicated Fund Account for purposes of emergency cleanup after required payments are made to waste tire processors.
3. Limits the fine for violating the valid generator identification number requirement to \$5,000.
4. Makes technical changes.

Digest of Bill as Finally Passed by Senate

Present law provides that the penalty for failure to obtain a generator identification number is a fine of not less than \$300 but not more than \$500, or imprisonment for six months, or both.

Proposed law increases the monetary fine from not less than \$300 but not more than \$500 to \$5,000. Retains the present law penalty relative to imprisonment. Exempts persons operating a vehicle fleet, and performing on-site maintenance on their own vehicles from the penalties contained in present and proposed law.

Present law establishes the penalties for gross littering upon first, second, and third or subsequent conviction.

Proposed law retains present law penalties for gross littering and adds the following penalties specific to gross littering involving tires:

- (1) First conviction - fined \$1,800 and is responsible for the cost of removal, transportation, and processing of the tires.
- (2) Second conviction - fined not less than \$4,000 and not more than \$10,000 and is responsible for the cost of removal, transportation, and processing of the tires.
- (3) Third or subsequent conviction - fined not less than \$6,000 and not more than \$20,000 and is responsible for the cost of removal, transportation, and processing of the tires.

Present law authorizes a fee of \$2.25 to be levied per passenger, light truck, or small farm service tires beginning on October 1, 2018 and ending July 31, 2022.

Proposed law reauthorizes the collection of the fee and removes the original implementation and sunset dates.

Proposed law authorizes the secretary to use of monies in the Waste Tire Management Dedicated Fund Account for purposes of emergency cleanup of abandoned waste tires or an abandoned waste tire processing facility if excess monies are available after required

payments are made to waste tire processors.

(Amends R.S. 30:2418.1(C), (E), and (I)(1)(a)(i) and 2531.1(D)(1), (2), and (3); Adds R.S. 30:2418(I)(5))