

**HOUSE SUMMARY OF SENATE AMENDMENTS**

**HB 589**

**2017 Regular Session**

**Bagneris**

NUISANCE/PUBLIC: Authorizes the governing authorities of municipalities to regulate the accumulation of waste tires on residential property

**Synopsis of Senate Amendments**

1. Requires, rather than authorizes, the municipality to include in the ordinance penalties for violations and authority for employees of the municipality or a contracting firm to enter private property to remove tires.
2. Requires that the fines imposed be, at a minimum, equal to the amounts provided for by the most recent Waste Tire Task Force recommendation. Additionally requires that such minimum amount be deposited into the Waste Tire Management Fund (fund).
3. Authorizes reimbursement from the fund for processing tires collected pursuant to proposed law.
4. Provides that proposed law shall expire and be null and void on July 1, 2021.

**Digest of Bill as Finally Passed by Senate**

Proposed law authorizes the governing authority of a municipality to adopt an ordinance regulating the accumulation of waste tires on private residential property. Requires that such an ordinance include fines for violations and provision for employees of the municipality or of a firm contracting with the municipality to enter private property for the purpose of removing waste tires that are in violation of the ordinance. Proposed law requires that fines imposed pursuant to proposed law be, at a minimum, equal to the amounts provided for by the most recent Waste Tire Task Force recommendation. Additionally requires that such minimum amount be deposited into the Waste Tire Management Fund (fund).

Present law defines "waste tire", for purposes of the Solid Waste Recycling and Reduction Law (R.S. 30:2412), to mean a whole tire that is no longer suitable for its original purpose because of wear, damage, or defect. Proposed law defines "waste tires", for purposes of proposed law, to have the same meaning as present law.

Present law authorizes the secretary of the Dept. of Environmental Quality (DEQ) to promulgate rules and regulations to administer the waste tire program. Provides that \$2 per passenger/light truck tire, \$5 per medium truck tire, and \$10 per off-road tire be collected for every tire sold. Present law provides that these fees are deposited into the fund which is used to operate the waste tire program in DEQ. One aspect of that program is to reimburse waste tire processors from the fund for scrapping program eligible waste tires generated within the state.

Proposed law retains present law and additionally provides that processing of waste tires collected pursuant to proposed law is eligible for reimbursement from the fund if the municipality has deposited the appropriate amount into the fund.

Proposed law provides that proposed law shall expire on July 1, 2021.

(Adds R.S. 33:4885)