2022 Regular Session

HOUSE BILL NO. 374

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BY REPRESENTATIVES BEAULLIEU, ADAMS, BISHOP, CARRIER, ROBBY CARTER, WILFORD CARTER, CORMIER, COUSSAN, COX, DAVIS, DEVILLIER, EDMONDS, FISHER, FONTENOT, FREIBERG, GAROFALO, GLOVER, GREEN, ILLG, MIKE JOHNSON, LACOMBE, LAFLEUR, LANDRY, MARCELLE, GREGORY MILLER, NEWELL, CHARLES OWEN, ROMERO, SCHAMERHORN, SCHEXNAYDER, SELDERS, AND THOMPSON

AN ACT

2 To amend and reenact R.S. 30:2418(I)(1)(a)(i), 2418.1(C) and (E), and 2531.1(D)(1), (2), 3 and (3) and to enact R.S. 30:2418(P), relative to tires; to increase penalties for failure 4 to obtain a generator identification number; to provide for exceptions; to provide for 5 increased penalties for the offense of gross littering involving tires; to provide for 6 fees; to provide for the Waste Tire Management Fund; and to provide for related 7 matters. 8 Be it enacted by the Legislature of Louisiana: 9 Section 1. R.S. 30:2418(I)(1)(a)(i), 2418.1(C) and (E), and 2531.1(D)(1), (2), and 10 (3) are hereby amended and reenacted and R.S. 30:2418(P) is hereby enacted to read as 11 follows: 12 §2418. Waste tires 13 14 I.(1)(a) The fee on tires authorized to be levied pursuant to R.S. 15 30:2413(A)(8) shall not exceed the following: 16 (i) Beginning October 1, 2018, through July 31, 2022, two Two dollars and 17 twenty-five cents per passenger/light truck/small farm service tire. Beginning on 18 August 1, 2022, two dollars per passenger/light truck/small farm service tire. 19

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CODING: Words in struck through type are deletions from existing law; words underscored are additions.

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| 1 | P. The department shall be responsible for the removal of thes on any |
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| 2 | property containing more than one thousand tires, located in a historic district in a |
| 3 | municipality with a population between twenty-eight and twenty-nine thousand |
| 4 | according to the latest decennial census; however, in no event shall the department |
| 5 | be responsible for the removal of more than three thousand tires from such property. |
| 6 | The owner of any such property shall notify the secretary of the existence and need |
| 7 | for removal of tires by certified mail. The department shall be responsible for the |
| 8 | cost of labor, transportation, and disposal of any tires removed pursuant to this |
| 9 | Subsection and shall have the removal of any such tires complete by September 30, |
| 10 | <u>2022.</u> |
| 11 | §2418.1. Failure to obtain a generator identification number |
| 12 | * * * |
| 13 | C. Any person who willfully or knowingly violates this Section shall, upon |
| 14 | conviction, be subject to a fine of not less than three hundred dollars but not more |
| 15 | than five hundred thousand dollars, or imprisonment for six months, or both. |
| 16 | * * * |
| 17 | E. The provisions of this Section shall not apply to persons operating a |
| 18 | vehicle fleet, and performing on-site maintenance exclusively on their own vehicles; |
| 19 | until such time as the department promulgates regulations governing such |
| 20 | maintenance activities. |
| 21 | * * * |
| 22 | §2531.1. Gross littering prohibited; criminal penalties; indemnification |
| 23 | * * * |
| 24 | D.(1) Whoever violates the provisions of this Section shall, upon first |
| 25 | conviction, be fined nine hundred dollars and sentenced to serve sixteen hours of |
| 26 | community service in a litter abatement work program as approved by the court and |
| 27 | may be imprisoned for not more than thirty days. <u>In addition to all other penalties</u> |
| | |

under this Paragraph, when the offense of gross littering involves the disposal of

tires, the offender shall be fined one thousand eight hundred dollars and shall be

responsible for the cost of removal, transportation, and processing of the tires.

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(2) Upon second conviction, an offender shall be fined not less than two thousand dollars nor more than five thousand dollars and sentenced to serve twenty-four hours of community service in a litter abatement work program as approved by the court and may be imprisoned for not more than thirty days. In addition to all other penalties under this Paragraph, upon second conviction of gross littering involving the disposal of tires, the offender shall be fined not less than four thousand dollars and not more than ten thousand dollars and shall be responsible for the cost of removal, transportation, and processing of the tires.

(3) Upon third or subsequent conviction, an offender shall be fined not less than three thousand dollars nor more than ten thousand dollars, have his motor vehicle driver's license suspended for one year, be imprisoned for not more than thirty days, or sentenced to serve not less than forty-eight and not more than one hundred hours in a litter abatement work program as approved by the court, or all or any combination of the aforementioned penalties. In addition to all other penalties under this Paragraph, upon third conviction of gross littering involving the disposal of tires, the offender shall be fined not less than six thousand dollars and not more than twenty thousand dollars and shall be responsible for the cost of removal, transportation, and processing of the tires.

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| SPEAKER OF THE HOUSE OF REPRESENTATIVES |
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| PRESIDENT OF THE SENATE |
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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: