2022 Regular Session

ACT NO. 480

HOUSE BILL NO. 374

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

1	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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1	P. The department shall be responsible for the removal of tires on any
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. In addition to all other penalties
28	under this Paragraph, when the offense of gross littering involves the disposal of
29	tires, the offender shall be fined one thousand eight hundred dollars and shall be
30	responsible for the cost of removal, transportation, and processing of the tires.

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

10 than three thousand dollars nor more than ten thousand dollars, have his motor 11 vehicle driver's license suspended for one year, be imprisoned for not more than 12 thirty days, or sentenced to serve not less than forty-eight and not more than one 13 hundred hours in a litter abatement work program as approved by the court, or all or 14 any combination of the aforementioned penalties. In addition to all other penalties 15 under this Paragraph, upon third conviction of gross littering involving the disposal 16 of tires, the offender shall be fined not less than six thousand dollars and not more 17 than twenty thousand dollars and shall be responsible for the cost of removal, 18 transportation, and processing of the tires.

* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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