

# ACT No. 142

2023 Regular Session

HOUSE BILL NO. 301

BY REPRESENTATIVES ROMERO AND GAROFALO

1 AN ACT

2 To amend and reenact R.S. 32:1519(A) and (C)(1) and to enact R.S. 32:1519(D)(5)(o),  
3 relative to motor carrier reimbursement of remedial costs; to provide for  
4 authorization for wrecker service companies to sue the responsible party for  
5 reimbursement regarding working a hazardous material accident; and provide for  
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:1519(A) and (C)(1) are hereby amended and reenacted and R.S.  
9 32:1519(D)(5)(o) is hereby enacted to read as follows:

10 §1519. Reimbursement of remedial costs

11 A. Any person who has transported a hazardous material as defined in this  
12 Chapter, a hazardous substance as defined in R.S. 30:2272~~(4)~~, or a hazardous waste  
13 as defined in R.S. 30:2173, or a transporter who has worked a hazardous material  
14 accident shall be liable to the state for undertaking remedial action or for all costs of  
15 remedial actions taken in cleaning up any discharge or disposal at a pollution source  
16 or facility if it can be shown that the hazardous material, hazardous substance or  
17 hazardous waste was discharged or disposed of directly by the transporter and the  
18 transporter directly caused the discharge or disposal for which remedial action must  
19 be undertaken.

20 \* \* \*

21 C.(1) When the secretary orders one transporter to undertake remedial action  
22 and other transporters or persons have caused or contributed to the discharge or

1 disposal, the transporter or wrecker service company undertaking remedial action  
2 may sue for reimbursement from any other transporter or person responsible for the  
3 costs of remedial actions attributable to that transporter or person.

4 \* \* \*

5 D. As used in this Section, the following terms shall have the following  
6 meanings:

7 \* \* \*

8 (5) "Remedial cost" means, after the discharge or disposal of a hazardous  
9 substance, the cost of:

10 \* \* \*

11 (o) Wrecker service companies undertaking remedial action involving  
12 hazardous material accidents.

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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: \_\_\_\_\_