

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **HB 469** HLS 15RS 502

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> April 13, 2015	4:49 PM	<b>Author:</b> LANDRY, TERRY
<b>Dept./Agy.:</b> Public Safety		<b>Analyst:</b> Matthew LaBruyere
<b>Subject:</b> Hazardous Materials		

MTR VEHICLE/COMMERCIAL OR DECREASE SD RV See Note  
Provides relative to transporters of hazardous material

Proposed law provides that a person shall not be cited for violating present law (careless handling) when that person or his representative reports a release of a hazardous material that is not of a reportable quantity, as defined in Title 49 of the Code of Federal Regulations.

Proposed law adds that the secretary shall not subject a person to a civil penalty when that person or his representative reports a release of a hazardous material that is not of a reportable quantity, as defined in Title 49 of the Code of Federal Regulations.

<b>EXPENDITURES</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

  

<b>REVENUES</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

There is no anticipated direct material effect on governmental expenditures as a result of this measure.

**REVENUE EXPLANATION**

The proposed legislation will likely result in a decrease in statutory dedicated revenue for the Hazardous Materials Emergency Response Fund as a result of not citing a person for the release of a hazardous material that is not of a reportable quantity. The exact impact is indeterminable since it is unknown how many citations/violations would not be written for careless handling of a hazardous material that is not of a reportable quantity and what the citation amount would have been for those violations.

According to the Department of Public Safety (DPS), there are an average of 85 violations (4 year average) that occur each year for reporting of incidents, accidents and cleanup and careless handling of hazardous materials. During this 4 year span, the fund has collected an average of \$323,755 annually, an average fine amount of \$3,809 (\$323,755 average annual collection / 85 average annual citations). DPS estimates that approximately half of citations issued are from "non-reportable quantities." To the extent the average annual citations and collections remain static, the proposed legislation would result in a decrease of approximately \$160,000 annually (\$3,809 average citation amount x 42 violations).

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|---|----------------------------|--------------|--|
| <u>Senate</u>   | <u>Dual Referral Rules</u> | <u>House</u> | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}                    |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}       |                            |              | <input type="checkbox"/> 6.8(F)(2) >= \$500,000 Rev. Red. to State {H & S}                 |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} |                            |              | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |

*Evan Brasseaux*  
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**Evan Brasseaux**  
**Staff Director**