

2022 Regular Session

HOUSE BILL NO. 69

BY REPRESENTATIVE DEVILLIER

ENVIRONMENT/LITTERING: Provides relative to photographic evidence for instances of violations of litter laws

1 AN ACT

2 To amend and reenact R.S. 30:2531(D)(1) and 2531.1(B)(1), relative to photographic
3 evidence of littering from a vehicle; to provide for an inference of guilt for the
4 registered owner of the vehicle from which the littering occurred; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 30:2531(D)(1) and 2531.1(B)(1) are hereby amended and reenacted
8 to read as follows:

9 §2531. Intentional littering prohibited; criminal penalties; simple littering
10 prohibited; civil penalties; special court costs

11 * * *

12 D.(1) If the litter is disposed from a motor vehicle, boat, or conveyance,
13 except a bus or large passenger vehicle or a school bus, all as defined in R.S. 32:1,
14 there shall be an inference that the driver of the conveyance disposed of the litter.
15 If such litter was possessed by a specific person immediately before the act of
16 disposing, there shall be an inference that the possessor committed the act of
17 disposing. If there is photographic evidence of the license plate of a vehicle from
18 which litter is disposed, there shall be an inference that the registered owner of the
19 vehicle has violated this Section.

20 * * *

1 §2531.1. Gross littering prohibited; criminal penalties; indemnification

2 * * *

3 B.(1) If the litter listed in Subsection A of this Section is disposed of from
4 a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or a
5 school bus, all as defined by R.S. 32:1, there shall be an inference that the driver of
6 the conveyance disposed of the litter. If such litter was possessed by a specific
7 person immediately before the act of disposing, there shall be an inference that the
8 possessor committed the act of disposing. If there is photographic evidence of the
9 license plate of a vehicle from which litter is disposed, there shall be an inference
10 that the registered owner of the vehicle has violated this Section.

11 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 69 Original

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DeVillier

Abstract: Establishes an inference that the registered owner of a vehicle has disposed of litter when there is photographic evidence of the license plate of the vehicle from which the litter was disposed.

Present law provides that when litter is disposed of from a motor vehicle, boat, or conveyance, there shall be an inference that the driver disposed of the litter. Further provides that if the litter was possessed by a specific person immediately before the act of disposing, there is an inference that the possessor committed the act of disposing.

Proposed law establishes an inference that the registered owner of a vehicle has disposed of litter when there is photographic evidence of the license plate of the vehicle from which the litter was disposed.

(Amends R.S. 30:2531(D)(1) and 2531.1(B)(1))