

2022 Regular Session

HOUSE BILL NO. 374

BY REPRESENTATIVE BEAULLIEU

ENVIRONMENT/WASTE TIRES: Increases the fine for gross littering of tires and failure to obtain a generator identification number

1 AN ACT

2 To amend and reenact R.S. 30:2418.1(C) and (E) and 2531.1(D)(1), (2), and (3), relative to  
3 tires; to increase penalties for failure to obtain a generator identification number; to  
4 provide for exceptions; to provide for increased penalties for the offense of gross  
5 littering involving tires; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 30:2418.1(C) and (E) and 2531.1(D)(1), (2), and (3) are hereby  
8 amended and reenacted to read as follows:

9 §2418.1. Failure to obtain a generator identification number

10 \* \* \*

11 C. Any person who willfully or knowingly violates this Section shall, upon  
12 conviction, be subject to a fine of not less than ~~three hundred dollars but not more~~  
13 ~~than five hundred thousand~~ thousand dollars, or imprisonment for six months, or both.

14 \* \* \*

15 E. The provisions of this Section shall not apply to persons operating a  
16 vehicle fleet, and performing on-site maintenance exclusively on their own vehicles;  
17 ~~until such time as the department promulgates regulations governing such~~  
18 ~~maintenance activities.~~

19 \* \* \*

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

2 \* \* \*

3 D.(1) Whoever violates the provisions of this Section shall, upon first  
4 conviction, be fined nine hundred dollars and sentenced to serve sixteen hours of  
5 community service in a litter abatement work program as approved by the court and  
6 may be imprisoned for not more than thirty days. In addition to all other penalties  
7 under this Paragraph, when the offense of gross littering involves the disposal of  
8 tires, the offender shall be fined one thousand eight hundred dollars and shall be  
9 responsible for the cost of removal, transportation, and processing of the tires.

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

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

28 \* \* \*

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**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)]

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HB 374 Engrossed

2022 Regular Session

Beaulieu

**Abstract:** Increases the penalties for gross littering involving tires and failure to obtain a generator identification number.

Present law provides that the penalty for failure to obtain a generator identification number is a fine of not less than \$300 but not more than \$500, or imprisonment for six months, or both.

Proposed law increases the monetary fine from not less than \$300 but not more than \$500 to \$5,000. Retains the present law penalty relative to imprisonment. Exempts persons operating a vehicle fleet, and performing on-site maintenance on their own vehicles from the penalties contained in present and proposed law.

Present law establishes the penalties for gross littering upon first, second, and third or subsequent conviction.

Proposed law retains present law penalties for gross littering and adds the following penalties specific to gross littering involving tires:

- (1) First conviction - fined \$1,800 and is responsible for the cost of removal, transportation, and processing of the tires.
- (2) Second conviction - fined not less than \$4,000 and not more than \$10,000 and is responsible for the cost of removal, transportation, and processing of the tires.
- (3) Third or subsequent conviction - fined not less than \$6,000 and not more than \$20,000 and is responsible for the cost of removal, transportation, and processing of the tires.

(Amends R.S. 30:2418.1(C) and (E) and 2531.1(D)(1), (2), and (3))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Natural Resources and Environment to the original bill:

1. Establish an exemption relative to failure to obtain a generator identification number for persons operating a vehicle fleet, and performing on-site maintenance exclusively on their own vehicles.