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DIGEST

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**CONFERENCE COMMITTEE REPORT DIGEST**

**HB 374**

**2022 Regular Session**

**Beaulieu**

**Keyword and oneliner of the instrument as it left the House**

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

**Report adopts Senate amendments to:**

1. Limit the fine for violating the valid generator identification number requirement to \$5,000.

**Report rejects Senate amendments which would have:**

1. Authorized the secretary to use monies in the Waste Tire Management Dedicated Fund Account for purposes of emergency cleanup after required payments are made to waste tire processors.
2. Made technical changes.

**Report amends the bill to:**

1. Reauthorize the fee on tires for funding the Waste Tire Management Dedicated Fund Account and removes the original implementation and sunset dates.
2. Require the department to remove tires on any property containing more than 1,000 tires, located in a historic district in a municipality with a population between 28,000 and 29,000 according to the latest decennial census, but limit the removal to no more than 3,000 tires. Require the owner of any such property to notify the secretary of the existence and need for removal of tires by certified mail. Further require the department to pay the cost of labor, transportation, and disposal of any tires removed pursuant to proposed law and to have the removal of any such tires complete by September 30, 2022.
3. Make technical changes.

**Digest of the bill as proposed by the Conference Committee**

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.

Present law authorizes a fee of \$2.25 to be levied per passenger, light truck, or small farm service tires beginning on Oct. 1, 2018 and ending July 31, 2022.

Proposed law reauthorizes the collection of the fee and removes the original implementation and sunset dates.

Proposed law requires the department to remove tires on any property containing more than 1,000 tires, located in a historic district in a municipality with a population between 28,000 and 29,000 according to the latest decennial census. Requires the owner of any such property to notify the secretary of the existence and need for removal of tires by certified mail. Further requires the department to pay the cost of labor, transportation, and disposal of any tires removed pursuant to proposed law and to have the removal of any such tires complete by Sept. 30, 2022.

(Amends R.S. 30:2418(I)(1)(a)(i), 2418.1(C) and (E), and 2531.1(D)(1), (2), and (3); Adds R.S. 30:2418(P))