
DIGEST

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HB 631 Original

2016 Regular Session

Miguez

Abstract: Adds all-terrain vehicle and utility terrain vehicle tires and spare tires into the Waste Tire Program and authorizes charges for delinquent submission of collected fees and reports.

Present law provides that \$2 per passenger/light truck tire, \$5 per medium truck tire, and \$10 per off-road tire be collected for every tire sold. These fees are deposited into the Waste Tire Management Fund which is used to operate the waste tire program in the Dept. of Environmental Quality (DEQ). One aspect of that program is to reimburse waste tire processors from the fund for scrapping waste tires generated within the state.

Proposed law retains present law and levies the waste tire fee on the sale of spare tires.

Present law authorizes the secretary of the Dept. of Environmental Quality to exempt from the fees tires which are de minimis in nature, including but not limited to lawn mower tires, bicycle tires, and golf cart tires. Further exemptions after June 1, 2004, may only be given through the department's rulemaking authority.

Present law defines "motor vehicle" as an automobile or motorcycle that is operated either on-road or off-road, truck, trailer, semitrailer, truck-tractor and semitrailer combination, or any other vehicle operated in this state, and propelled by power other than muscular power; but the term does not include bicycles and mopeds.

Proposed law retains present law and adds all-terrain vehicle and utility terrain vehicle to the definition.

Present law defines a "passenger/light truck/small farm service tire" as a tire weighing less than 100 lbs. and normally used on automobiles and motorcycles that are operated either on-road or off-road, pickup trucks, sport utility vehicles, front steer tractors, and farm implement service vehicles.

Proposed law adds tires used on all-terrain vehicles and utility terrain vehicles to the definition.

Present law provides for a judicial process to collect delinquent fees that may result in a court order to cease further pursuit of business.

Proposed law retains present law and authorizes the secretary to impose a delinquent fee of 10% of the unpaid fee or \$25, whichever is greater on any person failing to timely remit waste tire fees. Proposed law also imposes a delinquent fee of \$25 upon any person failing to timely submit a

required monthly waste tire fee report.

(Amends R.S. 30:2412(5) and (6.1) and 2418(I)(1); Adds R.S. 30:2418(O)(5))