

2020 Regular Session

HOUSE BILL NO. 456

BY REPRESENTATIVE LANDRY

ENVIRONMENT/WASTE TIRES: Provides for fees imposed for waste tire disposal

1 AN ACT

2 To amend and reenact R.S. 30:2418(I)(1) and (2), relative to waste tires; to provide for fees
3 levied on certain tires; to provide for payments to certain waste tire processors; to
4 provide for permitting certain waste tire facilities; to provide for an effective date;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 30:2418(I)(1) and (2) are hereby amended and reenacted to read as
8 follows:

9 §2418. Waste tires

10 * * *

11 I.(1)(a) The fee on tires authorized to be levied pursuant to R.S.
12 30:2413(A)(8) shall not exceed the following:

13 (i) ~~Beginning October 1, 2018, through July 31, 2022, two dollars and~~
14 ~~twenty-five cents~~ Three dollars per passenger/light truck/small farm service tire.
15 ~~Beginning on August 1, 2022, two dollars per passenger/light truck/small farm~~
16 ~~service tire.~~

17 (ii) ~~Five~~ Seven dollars per medium truck tire.

18 (iii) ~~Ten~~ Twenty dollars per off-road tire.

19 (b) The secretary may provide for exemptions from the fees levied on the
20 sale of tires pursuant to this Chapter in the regulations provided for in Subsection H

1 of this Section for the sale of tires sold at wholesale and certain tires which are de
2 minimis in nature, including but not limited to lawn mower tires, bicycle tires, and
3 golf cart tires. After June 1, 2004, the secretary may provide for the exemption of
4 certain tire sales from the fee which tires were not previously exempted only through
5 the department's rulemaking authority, including legislative oversight as provided
6 in R.S. 30:2413(A)(8).

7 (c) No person shall charge an amount above the fees authorized by this
8 Subsection for the disposal, transporting, or processing of waste tires. However, the
9 provisions of this Subparagraph shall not apply to the sale or marketing of recycled
10 waste tire material or whole waste tires.

11 (2)(a) A permitted waste tire processing facility shall be paid a minimum of
12 seven and a half cents based on either the per pound of waste tire material that is
13 recycled or that reaches end market uses or per pound of whole waste tires that are
14 recycled or that reaches reach end market uses; however, the minimum amounts
15 shall be as follows:

16 (i) Nine and one-half cents per pound for processing waste tires that remove
17 the steel and tire cord and produce crumb rubber with a granular consistency.

18 (ii) Seven and one-half cents per pound for processing waste tires to the
19 minimum required pursuant to the provisions of R.S. 30:2412(37).

20 (b) This payment shall be made to the facility on or before the twelfth day
21 of the month following the submission of the request for payment and shall be
22 conditioned on the facility providing to the department any documentation, including
23 but not limited to manifests, statements, or certified scale-weight tickets, required by
24 law or by rules and regulations promulgated by the department.

25 * * *

26 Section 2. The provisions of this Act shall become effective on October 1, 2020.

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 456 Original

2020 Regular Session

Landry

Abstract: Increases fees for waste tire disposal and increases the amount of processor payments.

Present law provides that \$2.25 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. One aspect of that program is to reimburse waste tire processors from the fund for recycling waste tires generated within the state.

Proposed law increases the fees in present law as follows:

Tire Type	Present Fee	Proposed Fee
Passenger/light Truck/small farm service	\$2.25	\$3.00
Medium Truck	\$5.00	\$7.00
Off-road	\$10.00	\$20.00

Present law requires permitted waste tire processing facilities to be paid a minimum of 7½¢ per pound of waste tire material that is recycled or that reaches end market uses or per pound of whole waste tires that are recycled or that reach end market uses.

Proposed law changes present law by removing the set amount processing facilities shall be paid in favor of adopting a rate schedule based on either the per pound of waste tire material that is recycled or that reaches end market uses or per pound of whole waste tires that are recycled or that reach end market uses and establishing minimum amounts as follows:

- (1) 9½¢ per pound for processing waste tires that remove the steel and tire cord and produce crumb rubber with a granular consistency.
- (2) 7½¢ per pound for processing waste tires to the minimum required pursuant to present law.

Proposed law prohibits charging an amount above the fees authorized by proposed law for the disposal, transporting, or processing of waste tires. Specifies that prohibition does not apply to the sale or marketing of recycled waste tire material or whole waste tires.

Effective Oct. 1, 2020.

(Amends R.S. 30:2418(I)(1) and (2))