

2022 Regular Session

HOUSE BILL NO. 289

BY REPRESENTATIVE BAGLEY

COMMERCIAL REGULATIONS: Provides relative to safety equipment sold in La.

1 AN ACT

2 To enact Part XIII of Chapter 2 of Title 51 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 51:771, relative to the sale of safety equipment; to prohibit the
4 sale of safety equipment that fails to meet certain safety criteria; to provide for
5 criteria; to provide for penalties; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Part XIII of Chapter 2 of Title 51 of the Louisiana Revised Statutes of
8 1950, comprised of R.S. 51:771, is hereby enacted to read as follows:

9 PART XIII. CONSTRUCTION AND MAINTENANCE SAFETY EQUIPMENT

10 §771. Sale of certain safety equipment prohibited; penalties

11 A. No person shall sell, distribute, or deliver any safety equipment within
12 this state that does not meet or exceed the safety standards prescribed by the
13 Occupational Safety and Health Administration within the United States Department
14 of Labor.

15 B. For purposes of this Section, "safety equipment" means any equipment
16 that is used to provide safe working conditions for persons engaged in the
17 commercial construction or maintenance industry and is provided for in the
18 Occupational Safety and Health Administration standards.

1 C. Any person violating the provisions of this Section shall incur a fine of
2 not less than one hundred dollars nor more than five hundred dollars for each
3 violation.

4 D. A person who violates this Section engages in an unfair and deceptive
5 trade practice in violation of R.S. 51:1401 et seq.

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 289 Engrossed

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Bagley

Abstract: Prohibits a person from selling, distributing, or delivering safety equipment that fails to meet federal standards in this state.

Proposed law prohibits a person from selling safety equipment in this state, if it fails to meet the Occupational Safety and Health Administration (OSHA) standards.

Proposed law applies to safety equipment used in the commercial construction or maintenance industry.

A person who violates proposed law shall incur a fine of at least \$100 and no more than \$500 for each violation and is in violation of the unfair and deceptive trade practices in present law.

(Adds R.S. 51:771)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Make technical changes.