

2024 Regular Session

HOUSE BILL NO. 134

BY REPRESENTATIVES ROMERO, AMEDEE, BOYER, BUTLER, HENRY, JACOB  
LANDRY, MCCORMICK, MCMAHEN, SCHAMERHORN, THOMPSON, AND  
WYBLE

FARMING/EQUIPMENT: Provides relative to the regulation of fuel used in agricultural  
machinery and fishery equipment

1 AN ACT

2 To enact Chapter 15-B of Title 33 of the Louisiana Revised Statutes of 1950, to be  
3 comprised of R.S. 33:5091 through 5093, relative to the regulation of fuel used in  
4 agricultural machinery and fishery equipment; to provide for a short title; to provide  
5 for definitions; to prohibit a parish or municipality from adopting any local law  
6 restricting the use or disposition on or imposing a fee or tax on agricultural  
7 machinery and fishery equipment; to prohibit local regulations that create differing  
8 standards for or distinguish fuel used in agricultural machinery and fishery  
9 equipment from other fuels or agricultural machinery and fishery equipment; to  
10 exempt the use of agricultural machinery used on property owned by a parish or  
11 municipality; and to provide for related matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. Chapter 15-B of Title 33 of the Louisiana Revised Statutes of 1950, to be  
14 comprised of R.S. 33:5091 through 5093, is hereby enacted to read as follows:

15 CHAPTER 15-B. LOCAL REGULATION OF FUEL  
16 USED IN AGRICULTURAL MACHINERY AND FISHERY EQUIPMENT

17 §5091. Short title

18 This Chapter shall be known and may be cited as the "Landscape and Fishery  
19 Equipment and Agricultural Fairness Act".

1        §5092. Definitions

2                For the purposes of this Chapter, the following definitions shall apply:

3                (1) "Agricultural machinery" means any machine or equipment designed for  
4                agricultural use or landscaping that is used in accordance with traditional farm  
5                practices and is powered by an engine or a motor. The term "agricultural machinery"  
6                shall also include a leaf-blower that is used to blow leaves, dirt, or other debris off  
7                of sidewalks, driveways, lawns, or other surfaces.

8                (2) "Fishery equipment" means any equipment used in fisheries operations  
9                and generally accepted fisheries practices pursuant to R.S. 56:640.2. This term  
10               includes, but is not limited to, fish processing machines and machines used for  
11               marine, freshwater, and aquaculture species.

12               (3) "Fuel used in agricultural machinery" includes motor fuel as defined by  
13               R.S. 40:1842(5) and petroleum products as defined by R.S. 3:4602(14)(b). The term  
14               "fuel used in agricultural machinery" shall also include blended fuel, diesel fuel, and  
15               gasoline as defined by R.S. 47:818.2.

16        §5093. Restrictions on authority; local regulations

17               A. No ordinance or regulation shall be adopted by a local governmental  
18               subdivision that prohibits or regulates with respect to the use, disposition, or sale or  
19               any imposition of a restriction, fee, or tax on fuel used in agricultural machinery and  
20               fishery equipment at the retail, manufacturer, or distributor setting, except by general  
21               law. This includes regulations that would create differing standards for or  
22               distinguish fuel used in agricultural machinery and fishery equipment from other  
23               types of fuels or agricultural machinery and fishery equipment.

24               B. Nothing in this Chapter shall apply to the use of agricultural machinery  
25               and fishery equipment on property owned by a parish or municipality.

---

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 134 Reengrossed

2024 Regular Session

Romero

**Abstract:** Prohibits regulations by any local government that create differing standards for fuel used in agricultural machinery and fishery equipment from other fuel or agricultural machinery.

Proposed law provides for a short title and definitions. Defines "agricultural machinery" as any machine or equipment, including a leaf blower, designed for agricultural use or landscaping that is used in accordance with traditional farm practices and is powered by an engine or a motor.

Proposed law defines "agricultural equipment" as any equipment used in fisheries operations and generally accepted fisheries practices pursuant to R.S. 56:640.2. This term includes, but is not limited to, fish processing machines and machines used for marine, freshwater, and aquaculture species."

Proposed law defines "fuel used in agricultural machinery" to include motor fuel, petroleum products, blended fuel, diesel fuel, and gasoline.

Proposed law defines "fishery equipment" as any equipment used in fisheries operations and generally accepted practices.

Proposed law prohibits regulations by a local governmental subdivision regarding the use, disposition, or sale or any imposition of a restriction, fee, or tax on fuel used in agricultural machinery and fishery equipment.

Proposed law prohibits regulations by a local governmental subdivision that create differing standards for or distinguish fuel used in agricultural machinery and fishery equipment from other fuels or machinery.

Proposed law exempts the use of agricultural machinery owned by a parish or municipality.

(Adds R.S. 33:5091-5093)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Add "fishery equipment" to the types of machinery that are protected from regulations by any local government that create differing standards for fuel.
2. Rename the Chapter as "CHAPTER 15-B. LOCAL REGULATION OF FUEL USED IN AGRICULTURAL MACHINERY AND FISHERY EQUIPMENT".
3. Rename the short title as "Landscape and Fishery Equipment and Agricultural Fairness Act".
4. Define "fishery equipment" as any equipment used in fisheries operations and generally accepted fisheries practices pursuant to R.S. 56:640.2. This term includes, but is not limited to, fish processing machines and machines used for marine, freshwater, and aquaculture species."

5. Make technical changes.