

2015 Regular Session

HOUSE BILL NO. 661

BY REPRESENTATIVE MORENO

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

TRANSPORTATION: Prohibits the transport of hazardous materials by carriers in certain areas

1 AN ACT

2 To amend and reenact R.S. 32:1521(H) and (I) and to enact R.S. 32:1521(J) and (K), relative  
3 to the transportation of hazardous materials; to provide for certain restrictions; and  
4 to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 32:1521(H) and (I) are hereby amended and reenacted and R.S.  
7 32:1521(J) and (K) are hereby enacted to read as follows:

8 §1521. Restrictions on transportation of hazardous materials

9 \* \* \*

10 H. Notwithstanding any law to the contrary, no carrier shall transport  
11 hazardous materials on Louisiana Highway 46 between its intersection with  
12 Louisiana Highway 39 and the Orleans-St. Bernard Parish line and within three  
13 hundred yards or less of any building used as a public or private elementary or  
14 secondary school or a public or private community facility, except for a carrier that  
15 has no state or locally approved alternative truck route other than the route  
16 designated in this Subsection to reach a local pickup or delivery point or  
17 maintenance or service facility. For purposes of this Subsection, a "community  
18 facility" shall mean buildings, parks, and other similar spaces or structures formally  
19 designated for recreational, educational, or health purposes.

1            ~~H.~~ I. Notwithstanding any law to the contrary, no carrier shall transport  
 2            hazardous materials on Louisiana Highway 39 between its intersection with  
 3            Louisiana Highway 61 and the Orleans-St. Bernard Parish line and within three  
 4            hundred yards or less of any building used as a public or private elementary or  
 5            secondary school or a public or private community facility, except for a carrier that  
 6            has no state or locally approved alternative truck route other than the route  
 7            designated in this Subsection to reach a local pickup or delivery point or  
 8            maintenance or service facility. For purposes of this Subsection, a "community  
 9            facility" shall mean buildings, parks, and other similar spaces or structures formally  
 10           designated for recreational, educational, or health purposes.

11            J. (1) Whoever violates the provisions of Subsection A of this Section shall  
 12            be fined not more than two hundred dollars, or imprisoned for not more than ninety  
 13            days, or both.

14            (2) On a second or subsequent violation, the offender shall be fined not less  
 15            than twenty-five nor more than five hundred dollars, or imprisoned for not less than  
 16            ten days nor more than six months, or both.

17            K. (1) Whoever violates the provisions of Subsection B, C, D, E, F, ~~or~~ G,  
 18            H, or I of this Section shall be fined not more than one thousand dollars, or  
 19            imprisoned for not more than ninety days, or both.

20            (2) On a second or subsequent violation, the offender shall be fined not less  
 21            than five hundred dollars nor more than three thousand dollars, or imprisoned for not  
 22            less than thirty days nor more than six months, or both.

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#### 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)]

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HB 661 Original

2015 Regular Session

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**Abstract:** Prohibits the transport of hazardous materials on certain state highways in Orleans Parish and that are within three hundred yards or less of any building used as a public or private elementary school, public or private secondary school, or public or private community facility.

Proposed law provides that no carrier shall transport hazardous materials on that portion of La. Highway 46 between its intersection with La. Highway 39 and the Orleans-St. Bernard Parish line and within 300 yards or less of any building used as a public or private elementary or private school or public or private community facility.

Proposed law provides that no carrier shall transport hazardous materials on that portion of La. Highway 39 between its intersection with La. Highway 61 and the Orleans-St. Bernard Parish line and within 300 yards or less of any building used as a public or private elementary or private school or public or private community facility.

Proposed law provides an exception to permit a carrier to use the route designated in proposed law if there is no state or locally approved alternative route in order to reach a local pickup or delivery point or maintenance or service facility.

Proposed law defines "community facility" to mean, as used in proposed law, buildings, parks, and other similar spaces or structures formally designated for recreational, educational, or health purposes.

(Amends R.S. 32:1521(H) and (I); Adds R.S. 32:1521(J) and (K))