

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

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; to provide for a short title; to provide for definitions; to
5 prohibit a parish or municipality from adopting any local law restricting the use or
6 disposition on or imposing a fee or tax on agricultural machinery; to prohibit local
7 regulations that create differing standards for or distinguish fuel used in agricultural
8 machinery from other fuels or agricultural machinery; to exempt the use of
9 agricultural machinery used on property owned by a parish or municipality; and to
10 provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

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

14 CHAPTER 15-B. LOCAL REGULATION OF FUEL

15 USED IN AGRICULTURAL MACHINERY

16 §5091. Short title

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

19 §5092. Definitions

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

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

6 (2) "Fuel used in agricultural machinery" includes motor fuel as defined by
 7 R.S. 40:1842(5) and petroleum products as defined by R.S. 3:4602(14)(b). The term
 8 "fuel used in agricultural machinery" shall also include blended fuel, diesel fuel, and
 9 gasoline as defined by R.S. 47:818.2(7), (21), and (32), respectively.

10 §5093. Restrictions on authority; local regulations

11 A. No ordinance or regulation shall be adopted by a local governmental
 12 subdivision that prohibits or regulates with respect to the use, disposition, or sale or
 13 any imposition of a restriction, fee, or tax on fuel used in agricultural machinery at
 14 the retail, manufacturer, or distributor setting, except by general law. This includes
 15 regulations that would create differing standards for or distinguish fuel used in
 16 agricultural machinery from other types of fuels or agricultural machinery.

17 B. Nothing in this Chapter shall apply to the use of agricultural machinery
 18 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 Engrossed

2024 Regular Session

Romero

Abstract: Prohibits regulations by any local government that create differing standards for fuel used in agricultural machinery 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 "fuel used in agricultural machinery" to include motor fuel, petroleum products, blended fuel, diesel fuel, and gasoline.

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.

Proposed law prohibits regulations by a local governmental subdivision that create differing standards for or distinguish fuel used in agricultural machinery 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)