

Regular Session, 2014

SENATE BILL NO. 314

BY SENATOR MARTINY AND REPRESENTATIVE PONTI

COMMERCIAL REGULATIONS. Provides relative to nonhazardous oilfield waste transporters. (7/1/14)

1 AN ACT

2 To amend and reenact R.S. 45:162(12) and (20), relative to transporters of nonhazardous
3 oilfield waste; to provide for definitions; to provide for terms and conditions; to
4 provide for an effective date; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 45:162(12) and (20) are hereby amended and reenacted to read as
7 follows:

8 §162. Definitions

9 The following words and phrases when used in this Chapter shall have the
10 meanings ascribed to them in this Section except where a different meaning is
11 expressly stated or clearly indicated by the context.

12 * * *

13 (12) "Motor carriers" include both a common carrier by motor vehicle and
14 contract carrier by motor vehicle, which transport household goods, passengers,
15 waste intrastate, or any other classification of carriers created by law, which
16 transports household goods, passengers, or waste intrastate for compensation or hire.

17 "Motor carriers" shall include tow trucks. "Motor carriers" shall not include ~~contract~~

1 **either of the following:**

2 **(a) Contract** carriers by bus; however, for purposes of R.S. 45:173 and 1177
3 only, a contract carrier by bus shall be considered a "motor carrier" subject to the
4 control and jurisdiction of the Louisiana Public Service Commission.

5 **(b) Any person engaged in the business of transporting nonhazardous**
6 **oilfield waste.**

7 * * *

8 (20) "Waste" means:

9 (a) ~~"Non-hazardous oilfield wastes" means waste defined as non-hazardous~~
10 ~~oilfield wastes by R.S. 30:1 et seq. and regulations adopted pursuant thereto disposed~~
11 ~~of at facilities not owned or operated by said transporters.~~

12 ~~(b)"Non-hazardous~~ **Nonhazardous** industrial solid waste" means waste
13 defined as ~~non-hazardous~~ **nonhazardous** industrial solid waste by the Louisiana
14 Environmental Quality Act, R.S. 30:2001 et seq., and solid waste regulations adopted
15 pursuant thereto (Louisiana Administrative Code 33.VII.101 et seq.), disposed of at
16 facilities not owned or operated by said transporters.

17 ~~(c)~~ **(b)**"Hazardous waste" means waste defined as hazardous by the Louisiana
18 Environmental Quality Act, R.S. 30:2001 et seq., and the hazardous waste
19 regulations adopted pursuant thereto (Environmental Regulator Code 33:V.101 et
20 seq.), disposed of at facilities not owned or operated by said transporters.

21 Section 2. This Act shall become effective on July 1, 2014.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Michelle Ducharme.

DIGEST

Martiny (SB314)

Present law defines the terms "motor carriers" and "waste".

Present law defines "motor carriers" to include both a common carrier by motor vehicle and contract carrier by motor vehicle, which transport household goods, passengers, waste intrastate, or any other classification of carriers created by law, which transports household goods, passengers, or waste intrastate for compensation or hire. Motor carriers shall include tow trucks. Motor carriers shall not include contract carriers by bus; however, for purposes of certain provisions of law only, a contract carrier by bus shall be considered a motor carrier subject to the control and jurisdiction of the Louisiana Public Service Commission.

Proposed law provides that the term "motor carriers" shall not include any person engaged in the business of transporting nonhazardous oilfield waste.

Present law defines "waste" as any of the following:

- (1) "Nonhazardous oilfield wastes" means waste defined as nonhazardous oilfield wastes by law and regulations adopted pursuant thereto that are disposed of at facilities not owned or operated by the transporters.
- (2) "Nonhazardous industrial solid waste" means waste defined as nonhazardous industrial solid waste by the Louisiana Environmental Quality Act and solid waste regulations adopted pursuant thereto that are disposed of at facilities not owned or operated by the transporters.
- (3) "Hazardous waste" means waste defined as hazardous waste by the Louisiana Environmental Quality Act and the hazardous waste regulations adopted pursuant thereto disposed of at facilities not owned or operated by the transporters.

Proposed law removes "nonhazardous oilfield wastes" from the definition of "waste".

Effective July 1, 2014.

(Amends R.S. 45:162(12) and (20))