

Regular Session, 2014

SENATE BILL NO. 129

BY SENATOR THOMPSON AND REPRESENTATIVE THOMPSON

PUBLIC SFTY/CORRECT DEPT. Provides for the regulation of explosives. (8/1/14)

1 AN ACT

2 To amend and reenact R.S. 40:1472.3(B) and to enact R.S. 40:1472.3(A)(4), relative to
3 public safety; to provide with respect to the regulation of explosives; to provide for
4 requirements to obtain an explosives license; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:1472.3(B) is hereby amended and reenacted and R.S.
7 40:1472.3(A)(4) is hereby enacted to read as follows:

8 §1472.3. License; manufacturer, dealer-distributor, user, blaster, or handler of
9 explosives

10 A.(1) * * *

11 **(4) The deputy secretary or his designee may inspect all facilities for the**
12 **manufacture, transportation, storage, and use of explosives of any person**
13 **licensed pursuant to the provisions of this Part.**

14 B.**(1)Each manufacturer, dealer-distributor, and user shall possess a**
15 **valid explosives license or permit from the United States Bureau of Alcohol,**
16 **Tobacco, Firearms and Explosives.**

17 **(2)** Each manufacturer, dealer-distributor, and user maintaining a Type 1,

1 Type 2, Type 4, or Type 5 storage magazine as defined by regulations promulgated
 2 pursuant to this Part shall possess an additional license, as herein set forth, for each
 3 magazine. Type 3 portable magazines or "day boxes" used for taking detonators and
 4 other explosives from storage magazines to the blasting area are exempt from the
 5 licensing and location reporting requirements of this Subsection. The department
 6 shall assign to each magazine licensed pursuant to this Part a license number which
 7 shall be posted on the magazine in a manner prescribed by the department. The exact
 8 location of such magazines shall be reported to the deputy secretary in the
 9 application for such license. Any change in such magazine locations shall be
 10 reported to the Department of Public Safety and Corrections, explosives control unit,
 11 in advance of the actual change in a manner prescribed by the department. Written
 12 notice of such location change shall be filed with the Department of Public Safety
 13 and Corrections, explosives control unit and the deputy secretary, not later than
 14 seven calendar days after such change is effected.

15 * * *

The original instrument was prepared by Cathy R. Wells. The following digest, which does not constitute a part of the legislative instrument, was prepared by James Benton.

DIGEST

Thompson (SB 129)

Present law provides for the regulation of explosives by DPS&C.

Proposed law retains present law and authorizes the deputy secretary or his designee to inspect all facilities for the manufacture, transportation, storage, and use of explosives of any person licensed for various explosive licenses.

Present law provides license requirements for manufacturer and dealer-distributors of explosives.

Proposed law retains present law and also requires a manufacturer or dealer-distributor to possess a valid explosives license or permit from the United States Bureau of Alcohol, Tobacco, Firearms and Explosives.

Effective August 1, 2014.

(Adds R.S. 40:1472.3(A)(4) and (B))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the original bill

1. Adds license requirements for manufacturer and dealer-distributors of explosives.
2. Removes provision dealing with license qualifications for applicants.