

HOUSE BILL No. 4836

May 20, 1991, Introduced by Reps. Kosteva, Pitoniak, Gubow, Gire, Perry Bullard, Leland, Sikkema, Dobronski, DeBeaussaert and Alley and referred to the Committee on Conservation, Recreation and Environment.

A bill to amend the title of Act No. 411 of the Public Acts of 1980, entitled as amended

"Used oil recycling act,"

as amended, being sections 319.311 to 319.316 of the Michigan Compiled Laws; and to add section 7.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title of Act No. 411 of the Public Acts of
2 1980, as amended, being sections 319.311 to 319.316 of the
3 Michigan Compiled Laws, is amended and section 7 is added to read
4 as follows:

5 TITLE

6 An act to promote the recycling of used oil; TO REQUIRE A
7 CERTAIN PERCENTAGE OF USED MOTOR OIL AS A COMPONENT IN NEW MOTOR
8 OIL SOLD OR OFFERED FOR SALE OR USE IN THIS STATE; to provide for
9 the proper disposal of used oil; to provide for the powers and

1 duties of certain state agencies and officials AND OTHER PERSONS;
2 and to prescribe penalties and provide remedies.

3 SEC. 7. (1) BEGINNING JANUARY 1, 1995, A PERSON SHALL NOT
4 SELL OR OFFER FOR SALE OR OFFER FOR USE IN THIS STATE MOTOR OIL
5 THAT CONSISTS OF LESS THAN 25% POST-CONSUMER RECYCLED USED MOTOR
6 OIL.

7 (2) NOT LATER THAN JANUARY 1, 1995, ALL CONTAINERS OF NEW
8 MOTOR OIL SOLD OR OFFERED FOR SALE OR OFFERED FOR USE IN THIS
9 STATE SHALL BE LABELED OR MARKED IN A UNIFORM MANNER APPROVED BY
10 THE DEPARTMENT OF NATURAL RESOURCES INDICATING THAT THE MOTOR OIL
11 IS IN COMPLIANCE WITH THE REQUIREMENT OF SUBSECTION (1).

12 (3) BEGINNING JANUARY 1, 1995, A PERSON WHO MANUFACTURES
13 MOTOR OIL THAT IS SOLD OR OFFERED FOR SALE OR OFFERED FOR USE IN
14 THIS STATE AT WHOLESALE OR RETAIL SHALL ANNUALLY SUBMIT TO THE
15 DEPARTMENT OF NATURAL RESOURCES A STATEMENT OF VERIFICATION THAT
16 ATTESTS THAT HE OR SHE IS IN COMPLIANCE WITH THIS SECTION WITH
17 REGARD TO ALL NEW MOTOR OIL THAT THE MANUFACTURER SELLS OR OFFERS
18 FOR SALE OR OFFERS FOR USE IN THIS STATE.

19 (4) THE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES MAY
20 PROMULGATE RULES PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT OF
21 1969, ACT NO. 306 OF THE PUBLIC ACTS OF 1969, BEING
22 SECTIONS 24.201 TO 24.328 OF THE MICHIGAN COMPILED LAWS, AS
23 DETERMINED NECESSARY BY THE DIRECTOR TO IMPLEMENT THIS ACT.

24 (5) THE DEPARTMENT OF NATURAL RESOURCES IS RESPONSIBLE FOR
25 IMPLEMENTING THIS ACT.

1 (6) A PERSON WHO VIOLATES THIS SECTION IS RESPONSIBLE FOR A
2 CIVIL FINE OF NOT MORE THAN \$10,000.00 AND ALL COURT COSTS AND
3 ENFORCEMENT COSTS.

4 (7) A DEFAULT IN THE PAYMENT OF A CIVIL FINE OR COSTS
5 ORDERED UNDER THIS SECTION OR AN INSTALLMENT OF THE FINE OR COSTS
6 MAY BE REMEDIED BY ANY MEANS AUTHORIZED UNDER THE REVISED JUDICA-
7 TURE ACT OF 1961, ACT NO. 236 OF THE PUBLIC ACTS OF 1961, BEING
8 SECTIONS 600.101 TO 600.9947 OF THE MICHIGAN COMPILED LAWS.