



SENATE BILL No. 53

January 13, 1993, Introduced by Senator WARTNER and referred to the Committee on Natural Resources and Environmental Affairs.

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 2a.

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 2a is added to
4 read as follows:

TITLE

5
6 An act to promote the recycling of used oil; to provide for
7 the proper disposal of used oil; to provide for the powers and
8 duties of certain state agencies and officials; TO LIMIT THE

1 LIABILITY OF CERTAIN PERSONS; and to prescribe penalties and
2 provide remedies.

3 SEC. 2A. (1) AN OWNER OR OPERATOR OF A USED OIL COLLECTION
4 FACILITY IS NOT LIABLE IN A CIVIL ACTION FOR DAMAGES RESULTING
5 FROM AN ACCIDENTAL RELEASE OF USED OIL AT THE FACILITY. THE PRO-
6 VISIONS OF THIS SECTION DO NOT APPLY TO A RELEASE THAT IS INTEN-
7 TIONAL OR THE RESULT OF THE GROSS OR WILLFUL NEGLIGENCE OF THE
8 PERSON SEEKING A LIMITATION OF LIABILITY UNDER THIS SECTION.

9 (2) AS USED IN THIS SECTION, "USED OIL COLLECTION FACILITY"
10 MEANS A LOCATION WHERE USED OIL IS DISPOSED OF, DUMPED, DEPOS-
11 ITED, AND COLLECTED FOR THE PURPOSE OF RECYCLING THE USED OIL AT
12 ANOTHER LOCATION.