

HOUSE BILL No. 4922

June 12, 1997, Introduced by Reps. Brater, Anthony, Dobronski, Schermesser, Hanley, Martinez, Hale, Goschka, Bogardus, Parks, DeHart, Schroer, Wojno, Cherry and Brewer and referred to the Committee on Transportation.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 11130 (MCL 324.11130).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 11130. (1) A person shall not engage in the business
2 of transporting hazardous waste within this state without a haz-
3 arduous waste transporter business license from the department.
4 Any vehicle used to transport hazardous wastes off site shall be
5 licensed under this part. An application for a hazardous waste
6 transporter business license or a vehicle license shall be made
7 on a form provided by the department. Railcars, airplanes, and
8 watercraft used for the transportation of hazardous waste are
9 exempt from the requirements of this section to obtain a
10 hazardous waste transporter business license or a vehicle
11 license.

1 (2) An application for a hazardous waste transporter
2 business license shall be accompanied by the following:

3 (a) A business license application fee of \$1,000.00 of which
4 \$100.00 shall be retained as a processing of the application
5 fee. The remaining business license application fee and the
6 vehicle license application fee as required in subdivision (b)
7 shall be refunded if the application is denied by the
8 department.

9 (b) A vehicle license application fee of \$500.00 for each
10 vehicle used by the hazardous waste transporter to transport or
11 carry hazardous waste.

12 (c) Proof of financial responsibility as defined in rules
13 promulgated under this part.

14 (D) VERIFICATION THAT EACH VEHICLE TO BE USED IN THE BUSI-
15 NESS HAS PASSED A SAFETY INSPECTION BY THE DEPARTMENT OF STATE
16 POLICE IN ACCORDANCE WITH THE FEDERAL REGULATIONS ADOPTED UNDER
17 SECTION 1A OF THE MOTOR CARRIER SAFETY ACT, 1963 PA 181, MCL
18 480.11A.

19 (3) The hazardous waste transporter account is created
20 within the environmental pollution prevention fund which is
21 hereby created in the state treasury.

22 (4) The state treasurer may receive money or other assets
23 from any source for deposit into the account. The license fees
24 collected pursuant to this section shall be deposited in the haz-
25 ardous waste transporter account. The state treasurer shall
26 direct the investment of the account. The state treasurer shall

1 credit to the account interest and earnings from account
2 investments.

3 (5) Money remaining in the account at the close of the
4 fiscal year shall not lapse to the general fund.

5 (6) The department shall expend money from the account, upon
6 appropriation, for the implementation of this part. In addition,
7 funds not expended for the implementation of this part may be
8 utilized for emergency response and cleanup activities related to
9 hazardous waste that are initiated by the department.