

HOUSE BILL No. 6415

September 24, 2002, Introduced by Reps. Kolb, Zelenko and Schermesser and referred to the Committee on Commerce.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
(MCL 257.1 to 257.923) by adding section 705b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 705B. (1) A PERSON ENGAGED IN THE RETAIL SALE OF VEHI-
2 CLE PARTS SHALL NOT SELL OR OFFER TO SELL IN THIS STATE, OR SELL
3 OR OFFER TO SELL FOR INSTALLATION OR USE IN THIS STATE, A BRAKE
4 OR BRAKE PART THAT IS INTENDED FOR USE IN A MOTOR VEHICLE, MOTOR-
5 CYCLE, OR TRAILER AND CONTAINS ASBESTOS.

6 (2) THIS SECTION DOES NOT APPLY TO THE SALE OR OFFER TO SELL
7 OF A BRAKE OR BRAKE PART THAT CONTAINS ASBESTOS THAT MEETS EITHER
8 OF THE FOLLOWING:

9 (A) A STATE OR FEDERAL STATUTE, REGULATION, OR
10 ADMINISTRATIVE RULE REQUIRES THE USE OF ASBESTOS IN THAT BRAKE OR
11 BRAKE PART.

1 (B) A BRAKE OR BRAKE PART THAT DOES NOT CONTAIN ASBESTOS AND
2 MEETS THE REQUIREMENTS OF SECTION 705 WHEN INSTALLED IS NOT COM-
3 MERCIALLY AVAILABLE.

4 (3) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDE-
5 MEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 60 DAYS OR A
6 FINE OF NOT MORE THAN \$1,000.00, OR BOTH, PLUS THE COSTS OF
7 PROSECUTION.

8 (4) AS USED IN THIS SECTION:

9 (A) "ASBESTOS" MEANS A GROUP OF NATURALLY OCCURRING MINERALS
10 THAT SEPARATE INTO FIBERS, INCLUDING CHRYSOTILE, AMOSITE, CROCID-
11 OLITE, ANTHOPHYLLITE, TREMOLITE, AND ACTINOLITE.

12 (B) "BRAKE PART" MEANS A BRAKE DRUM, LINING, OR OTHER PART
13 OR COMPONENT OF A BRAKE OR BRAKE ASSEMBLY.

14 Enacting section 1. This amendatory act takes effect
15 January 1, 2004.