

# SENATE BILL No. 637

September 19, 2001, Introduced by Senator YOUNG and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
(MCL 324.101 to 324.90106) by adding section 11521a and part 170;  
and to repeal acts and parts of acts.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 11521A. BEGINNING ON THE EFFECTIVE DATE OF THIS SEC-  
2 TION, A PERSON SHALL NOT DISPOSE OF A WHOLE TIRE IN A LANDFILL.

3 PART 170 SCRAP TIRE ECONOMIC DEVELOPMENT

4 SEC. 17001. AS USED IN THIS PART:

5 (A) "AFTERMARKET MANUFACTURER" MEANS A PERSON WHO UTILIZES  
6 SCRAP TIRE CRUMB RUBBER TO MAKE PRODUCTS USEFUL TO SOCIETY OR  
7 UTILIZES CRUMB RUBBER IN AN APPROVED USE SUCH AS LEACHATE BEDS OR  
8 DAILY COVER FOR A LANDFILL UNDER PART 115.

1 (B) "BOND" MEANS A PERFORMANCE BOND FROM A SURETY COMPANY  
2 AUTHORIZED TO TRANSACT BUSINESS IN THIS STATE DRAWN IN FAVOR OF  
3 THE DIRECTOR.

4 (C) "COLLECTION SITE" MEANS 1 OR MORE PIECES OF ADJACENT  
5 REAL PROPERTY WHERE 3,000 OR MORE SCRAP TIRES ARE ACCUMULATED.

6 (D) "DEPARTMENT" MEANS THE DEPARTMENT OF ENVIRONMENTAL  
7 QUALITY.

8 (E) "DIRECTOR" MEANS THE DIRECTOR OF THE DEPARTMENT OF ENVI-  
9 RONMENTAL QUALITY.

10 (F) "END USER" MEANS A PERSON WHO UTILIZES A WHOLE SCRAP  
11 TIRE FOR ANY USE THAT RESULTS IN A PERMANENT, ENVIRONMENTALLY  
12 SAFE DISPOSAL OF THE TIRE AS APPROVED BY THE DEPARTMENT.

13 (G) "FUND" MEANS THE "SCRAP TIRE ECONOMIC DEVELOPMENT FUND"  
14 CREATED IN SECTION 17008.

15 (H) "POWER GENERATING FACILITY" MEANS A FACILITY THAT HAS  
16 THE CAPABILITY OF UTILIZING SCRAP TIRE CRUMB RUBBER AS A FUEL TO  
17 CREATE ELECTRICITY OR ANOTHER FORM OF ENERGY.

18 (I) "REGIONAL SCRAP TIRE PROCESSING CENTER" MEANS A LOCATION  
19 WITHIN 1 OF THE 7 SCRAP TIRE REGIONS AS IDENTIFIED BY THE DIREC-  
20 TOR, WHICH HAS THE ABILITY TO MECHANICALLY REMOVE RIMS AND BEAD  
21 WIRES FROM SCRAP TIRES, GRIND OR OTHERWISE REDUCE SCRAP TIRES  
22 INTO 1-INCH OR SMALLER CHIPS, AND REMOVE THE WIRE FROM THE CHIPS  
23 AT A RATE OF 300 PASSENGER CAR TIRES OR 150 TRUCK TIRES PER HOUR  
24 ON A CONTINUOUS, YEAR-ROUND BASIS.

25 (J) "REGIONS" MEANS 7 DESIGNATED AREAS OF THE STATE ESTAB-  
26 LISHED AS SOUTHWEST PORTION, SOUTHEAST PORTION, SAGINAW/FLINT

1 PORTION, MID-SOUTH PORTION, CENTRAL MICHIGAN PORTION, NORTHERN  
2 LOWER PENINSULA PORTION, AND UPPER PENINSULA PORTION.

3 (K) "RETAILER" MEANS A PERSON WHO SELLS OR OFFERS FOR SALE  
4 NEW, RETREADED, OR REMANUFACTURED TIRES TO CONSUMERS IN THIS  
5 STATE EITHER AS INDIVIDUAL UNITS, PAIRS, OR GROUPS OR AS PART OF  
6 A NEW VEHICLE SALE.

7 (I) "SCRAP TIRE" MEANS A TIRE THAT IS NO LONGER BEING USED  
8 FOR ITS ORIGINAL INTENDED PURPOSE.

9 (M) "SCRAP TIRE HAULER" MEANS A PERSON WHO, AS PART OF A  
10 COMMERCIAL BUSINESS, TRANSPORTS SCRAP TIRES.

11 (N) "SCRAP TIRE PROCESSOR" MEANS A PERSON ENGAGED IN THE  
12 BUSINESS OF STORING, BUYING, OR OTHERWISE ACQUIRING SCRAP TIRES  
13 AND REDUCING THEIR VOLUME BY SHREDDING OR OTHERWISE FACILITATING  
14 RECYCLING OR RESOURCE RECOVERY TECHNIQUES FOR SCRAP TIRES.

15 (O) "SURCHARGE" MEANS A FEE PAID AT THE TIME OF PURCHASE OF  
16 A TIRE THAT IS ALLOCATED TO THE SAFE DISPOSAL OF THAT AND OTHER  
17 TIRES FOLLOWING ITS USEFUL LIFE.

18 (P) "TIRE" MEANS A CONTINUOUS SOLID OR PNEUMATIC COVERING  
19 DESIGNED TO ENCIRCLE THE WHEEL OF A VEHICLE.

20 (Q) "TIRE BAILING" MEANS MECHANICALLY OR HYDRAULICALLY COM-  
21 PRESSING 15 OR MORE SCRAP TIRES TOGETHER AND SECURING THEM IN  
22 SUCH A MANNER AS TO PREVENT WATER FROM ENTERING THE TIRES.

23 (R) "VEHICLE" MEANS EVERY DEVICE IN, UPON, OR BY WHICH ANY  
24 PERSON OR PROPERTY IS OR MAY BE TRANSPORTED OR DRAWN. HOWEVER,  
25 VEHICLE DOES NOT INCLUDE DEVICES EXCLUSIVELY MOVED BY HUMAN POWER  
26 OR USED EXCLUSIVELY UPON STATIONARY RAILS OR TRACKS OR MOBILE

1 HOMES AS DEFINED IN SECTION 2 OF THE MOBILE HOME COMMISSION ACT,  
2 1987 PA 96, MCL 125.2302.

3 SEC. 17002. BEGINNING ON THE EFFECTIVE DATE OF THIS SEC-  
4 TION, A PERSON WHO ACCUMULATES 3,000 OR MORE SCRAP TIRES AT A  
5 COLLECTION SITE THAT ARE NOT STORED IN A BUILDING OR A COVERED  
6 VEHICLE SHALL COMPLY WITH ALL OF THE FOLLOWING:

7 (A) ONLY TIRES SHALL BE ACCUMULATED IN THE TIRE STORAGE AREA  
8 WITHIN THE COLLECTION SITE.

9 (B) TIRES SHALL BE ACCUMULATED IN PILES NOT GREATER THAN 15  
10 FEET IN HEIGHT WITH HORIZONTAL DIMENSIONS NOT GREATER THAN 200 BY  
11 40 FEET WITH NOT LESS THAN 20 FEET BETWEEN PILES.

12 (C) TIRES SHALL NOT BE CLOSER THAN 20 FEET TO THE COLLECTION  
13 SITE PROPERTY LINE OR CLOSER THAN 60 FEET TO A BUILDING OR  
14 STRUCTURE.

15 (D) TIRES SHALL BE BALED.

16 (E) AREAS BETWEEN TIRE PILES SHALL BE KEPT FREE OF DEBRIS,  
17 EQUIPMENT, AND GRASS AND WEEDS.

18 (F) THE TIRE STORAGE AREA SHALL BE COMPLETELY ENCLOSED WITH  
19 A FENCE THAT IS AT LEAST 6 FEET TALL WITH LOCKABLE GATES AND IS  
20 DESIGNED TO PREVENT EASY ACCESS.

21 (G) A LANDSCAPED EARTHEN BERM NOT LESS THAN 5 FEET IN HEIGHT  
22 SHALL BE POSITIONED OUTSIDE OF THE FENCE IN WHICH THE TIRES ARE  
23 ENCLOSED.

24 (H) THE COLLECTION SITE SHALL CONTAIN SUFFICIENT DRAINAGE SO  
25 THAT WATER DOES NOT POOL OR COLLECT ON THE PROPERTY.

26 (I) THE APPROACH ROAD TO THE TIRE STORAGE AREA AND ON-SITE  
27 ACCESS ROADS TO THE TIRE STORAGE AREA SHALL BE OF ALL-WEATHER

1 CONSTRUCTION AND MAINTAINED IN GOOD CONDITION SO THAT THEY ARE  
2 PASSABLE AT ALL TIMES FOR FIRE FIGHTING EQUIPMENT VEHICLES.

3 (J) AN EMERGENCY PROCEDURE PLAN SHALL BE PREPARED AND DIS-  
4 PLAYED AT THE COLLECTION SITE. THE PLAN SHALL INCLUDE TELEPHONE  
5 NUMBERS OF THE LOCAL FIRE AND POLICE DEPARTMENTS AND SHALL BE  
6 SIGNED BY AN AUTHORIZED OFFICIAL OF THE LOCAL FIRE DEPARTMENT.

7 (K) A BOND IN THE AMOUNT OF \$10,000.00 PER ACRE SHALL BE  
8 PROVIDED BY THE OWNER OF THE COLLECTION SITE.

9 (L) A COLLECTION SITE SHALL NOT ACCUMULATE MORE THAN  
10 1,000,000 TIRES. HOWEVER, A COLLECTION SITE IN CONJUNCTION WITH  
11 A PROCESSING CENTER THAT HAS A LONG-TERM FUEL CONTRACT WITH A  
12 POWER GENERATING FACILITY MAY ACCUMULATE SCRAP TIRES SUFFICIENT  
13 TO MEET 3 YEARS' FUEL NEEDS.

14 SEC. 17003. (1) A RETAILER WHO RECEIVES SCRAP TIRES IN THIS  
15 STATE SHALL DISPOSE OF THE SCRAP TIRES AT A REGIONAL PROCESSING  
16 CENTER, WITH AN END USER, OR BY CONTRACTING WITH A REGISTERED  
17 SCRAP TIRE HAULER.

18 (2) A RETAILER SHALL MAINTAIN RECORDS, ON FORMS PROVIDED BY  
19 THE DEPARTMENT, INDICATING THE NUMBER OF SCRAP TIRES AND THE DIS-  
20 POSITION OF SCRAP TIRES DISPOSED OF UNDER SUBSECTION (1). THESE  
21 RECORDS SHALL BE SENT MONTHLY TO THE DEPARTMENT AT AN ADDRESS  
22 INDICATED BY THE DEPARTMENT.

23 SEC. 17004. (1) A RETAILER SHALL COLLECT AT THE TIME OF THE  
24 SALE OF A NEW TIRE A SURCHARGE IN THE FOLLOWING AMOUNTS, ACCORD-  
25 ING TO THE FOLLOWING CATEGORIES:

1 (A) CAR, FARM IMPLEMENT, TRAILER, ORV, AND MOTORCYCLE TIRES  
2 NOT OTHERWISE DESCRIBED IN SUBDIVISION (B), (C), OR (D) --  
3 \$1.95.

4 (B) FARM TRACTOR (REAR TYPE) AND TRUCK TIRES -- \$5.00.

5 (C) OFF-ROAD COMMERCIAL EQUIPMENT TIRES WITH RIM SIZES 24  
6 INCHES AND SMALLER -- \$30.00.

7 (D) OFF-ROAD COMMERCIAL TIRES WITH RIM SIZES LARGER THAN 24  
8 INCHES -- 7 CENTS PER POUND OF TIRE WEIGHT.

9 (2) FOLLOWING THE COLLECTION OF THE SURCHARGES UNDER SUBSEC-  
10 TION (1), THE RETAILER MAY RETAIN THE FOLLOWING AMOUNTS FOR LABOR  
11 AND MATERIALS EXPENDED IN THE COLLECTION AND REMITTANCE OF THE  
12 SURCHARGES BY CATEGORY:

13 (A) 15 CENTS PER SURCHARGE COLLECTED UNDER SUBSECTION  
14 (1)(A).

15 (B) 80 CENTS PER SURCHARGE COLLECTED UNDER SUBSECTION  
16 (1)(B).

17 (C) \$2.00 PER SURCHARGE COLLECTED UNDER SUBSECTION (1)(C).

18 (D) \$5.00 PER SURCHARGE COLLECTED UNDER SUBSECTION (1)(D).

19 (3) THE RETAILER SHALL REMIT THE BALANCE OF THE SURCHARGE  
20 DIRECTLY TO THE STATE TREASURER FOR DEPOSIT INTO THE FUND.

21 SEC. 17005. (1) BY JANUARY 31 OF EACH YEAR, A SCRAP TIRE  
22 HAULER SHALL ANNUALLY REGISTER WITH THE DEPARTMENT ON A FORM PRO-  
23 VIDED BY, AND CONTAINING THE INFORMATION REQUIRED BY, THE  
24 DEPARTMENT.

25 (2) A SCRAP TIRE HAULER WHEN TRANSPORTING SCRAP TIRES SHALL  
26 HAVE IN HIS OR HER POSSESSION A COPY OF THE CURRENT UNEXPIRED  
27 SCRAP TIRE HAULER REGISTRATION AND SHALL PRESENT IT UPON DEMAND

1 OF A PEACE OFFICER. THE SCRAP TIRE HAULER REGISTRATION NUMBER  
2 ISSUED BY THE DEPARTMENT SHALL BE VISIBLY DISPLAYED ON THE  
3 DRIVER'S DOOR OF THE VEHICLE BEING USED TO TRANSPORT SCRAP  
4 TIRES.

5 (3) A SCRAP TIRE HAULER SHALL MAINTAIN ON FORMS APPROVED BY  
6 THE DEPARTMENT A RECORD OF EACH LOAD OF SCRAP TIRES HE OR SHE  
7 TRANSPORTS. THE RECORD SHALL BE MAINTAINED FOR A PERIOD OF 3  
8 YEARS AND SHALL BE MADE AVAILABLE, UPON REQUEST, TO THE DEPART-  
9 MENT OR TO A PEACE OFFICER AT REASONABLE HOURS. THE RECORD SHALL  
10 CONTAIN AT LEAST THE FOLLOWING INFORMATION:

11 (A) THE NAME, ADDRESS, TELEPHONE NUMBER, AND REGISTRATION  
12 NUMBER OF THE SCRAP TIRE HAULER.

13 (B) THE NAME, ADDRESS, TELEPHONE NUMBER, AND AUTHORIZED SIG-  
14 NATURE OF THE RETAILER WHO CONTRACTS FOR THE REMOVAL OF THE SCRAP  
15 TIRES.

16 (C) THE DATE OF REMOVAL, NUMBER OF SCRAP TIRES, AND INTENDED  
17 FINAL DESTINATION OF THE SCRAP TIRES.

18 (D) FINAL DESTINATIONS SHALL BE IDENTIFIED AS RECAPPING USE,  
19 END USER, OR REGIONAL PROCESSING CENTER.

20 (E) A SIGNED AFFIDAVIT CERTIFYING THAT THE TIRE ORIGINATED  
21 IN MICHIGAN.

22 (4) A SCRAP TIRE HAULER SHALL NOT DISPOSE OF SCRAP TIRES  
23 OTHER THAN AT A FINAL DESTINATION IDENTIFIED ON THE RECORD  
24 REQUIRED BY SUBSECTION (3)(A).

25 (5) THE ORIGINAL RECORD REQUIRED BY SUBSECTION (3) SHALL BE  
26 IN THE POSSESSION OF THE SCRAP TIRE HAULER DURING THE ACTUAL  
27 TRANSPORTATION OF THE SCRAP TIRES. A COPY OF THE RECORD REQUIRED

1 BY SUBSECTION (3) SHALL BE PROVIDED TO THE PERSON WHO CONTRACTS  
2 FOR REMOVAL OF SCRAP TIRES AT THE TIME OF REMOVAL OF THE TIRES  
3 FROM THE ORIGINATING SITE. A COPY SHALL ALSO BE PROVIDED TO THE  
4 PROCESSING CENTER, THE END USER, OR THE TIRE RECAPPING FACILITY  
5 AT THE TIME OF DELIVERY.

6 (6) EXCEPT AS PROVIDED IN SUBSECTION (7), A PERSON WHO CON-  
7 TRACTS FOR THE REMOVAL OF SCRAP TIRES SHALL CONTRACT WITH A SCRAP  
8 TIRE HAULER WHO IS REGISTERED UNDER THIS SECTION.

9 (7) THIS SECTION DOES NOT APPLY TO A PERSON ENGAGED IN  
10 CLEAN-UP EFFORTS ON PRIVATE OR PUBLIC PROPERTY WHO TRANSPORTS  
11 SCRAP TIRES TO A FINAL DESTINATION IF THE PERSON FILES A FORM  
12 WITH THE FINAL DESTINATION FACILITY THAT INDICATES THE TIRES'  
13 GEOGRAPHIC ORIGIN WITHIN THE STATE.

14 SEC. 17006. A REGIONAL PROCESSING CENTER OR END USER WHO  
15 RECEIVES SCRAP TIRES FROM A SCRAP TIRE HAULER OR A PERSON PURSU-  
16 ANT TO SECTION 17005(7) SHALL PAY THE SCRAP TIRE HAULER OR PERSON  
17 THE FOLLOWING FOR SCRAP TIRES RECEIVED:

18 (A) SCRAP TIRES DESCRIBED IN SECTION 17004(1)(A) -- 50 CENTS  
19 PER TIRE.

20 (B) SCRAP TIRES DESCRIBED IN SECTION 17004(1)(B) -- \$1.00  
21 PER TIRE.

22 (C) SCRAP TIRES DESCRIBED IN SECTION 17004(1)(C) -- \$10.00  
23 PER TIRE.

24 (D) SCRAP TIRES DESCRIBED IN SECTION 17004(1)(D) -- 1 CENT  
25 PER POUND OF WEIGHT.

26 SEC. 17007. (1) SUBJECT TO SUBSECTION (2), THE DEPARTMENT  
27 SHALL REIMBURSE SCRAP TIRE PROCESSING CENTERS AND END USERS FOR



1 SCRAP TIRES RECEIVED FROM SCRAP TIRE HAULERS OR PERSONS PURSUANT  
2 TO SECTION 17005(7) AS FOLLOWS:

3 (A) SCRAP TIRES DESCRIBED IN SECTION 17004(1)(A) -- \$1.10  
4 PER TIRE.

5 (B) SCRAP TIRES DESCRIBED IN SECTION 17004(1)(B) -- \$2.80  
6 PER TIRE.

7 (C) SCRAP TIRES DESCRIBED IN SECTION 17004(1)(C) -- \$12.00  
8 PER TIRE.

9 (D) SCRAP TIRES DESCRIBED IN SECTION 17004(1)(D) -- 5 CENTS  
10 PER POUND OF WEIGHT.

11 (2) THE DEPARTMENT SHALL REIMBURSE POWER-GENERATING FACILI-  
12 TIES AND AFTERMARKET MANUFACTURERS \$10.00 PER TON FOR ALL "STEEL  
13 FREE" CRUMB RUBBER OBTAINED FROM LICENSED SCRAP TIRE PROCESSORS  
14 AND \$5.00 PER TON FOR ALL CRUMB RUBBER CONTAINING STEEL OBTAINED  
15 FROM LICENSED SCRAP TIRE PROCESSORS. POWER-GENERATING FACILITIES  
16 AND AFTERMARKET MANUFACTURERS ARE RESPONSIBLE FOR PAYING SHIPPING  
17 COSTS FOR CRUMB RUBBER OBTAINED FROM THE SCRAP TIRE PROCESSORS.

18 (3) A SCRAP TIRE PROCESSING CENTER THAT IS A COLLECTION SITE  
19 OR IS AFFILIATED WITH A COLLECTION SITE THAT CONTAINS MORE THAN  
20 1,000,000 SCRAP TIRES SHALL ONLY BE REIMBURSED UNDER SUBSECTION  
21 (1) IF THE SCRAP TIRE PROCESSING CENTER REMOVES 2 SCRAP TIRES  
22 FROM THE COLLECTION SITE FOR EVERY SCRAP TIRE IT RECEIVES.

23 SEC. 17008. (1) THE SCRAP TIRE ECONOMIC DEVELOPMENT FUND IS  
24 CREATED WITHIN THE STATE TREASURY.

25 (2) THE STATE TREASURER MAY RECEIVE MONEY OR OTHER ASSETS  
26 FROM ANY SOURCE FOR DEPOSIT INTO THE FUND. THE STATE TREASURER  
27 SHALL DIRECT THE INVESTMENT OF THE FUND. THE STATE TREASURER

1 SHALL CREDIT TO THE FUND INTEREST AND EARNINGS FROM FUND  
2 INVESTMENTS.

3 (3) MONEY IN THE FUND AT THE CLOSE OF THE FISCAL YEAR SHALL  
4 REMAIN IN THE SCRAP TIRE ECONOMIC DEVELOPMENT FUND AND SHALL NOT  
5 LAPSE TO THE GENERAL FUND.

6 (4) BEGINNING 1 YEAR AFTER THE EFFECTIVE DATE OF THIS PART,  
7 THE DEPARTMENT SHALL EXPEND MONEY FROM THE SCRAP TIRE ECONOMIC  
8 DEVELOPMENT FUND, UPON APPROPRIATION, ONLY FOR 1 OR MORE OF THE  
9 FOLLOWING PURPOSES:

10 (A) TO REIMBURSE SCRAP TIRE PROCESSING CENTERS, END USERS,  
11 AND POWER-GENERATING FACILITIES PURSUANT TO SECTION 17007.

12 (B) FOR THE ADMINISTRATION OF THIS PART.

13 (C) FOR GRANTS FOR RESEARCH AND DEVELOPMENT OF NEW TECHNOL-  
14 OGY AND NEW USES FOR SCRAP TIRES.

15 (D) FOR COSTS ASSOCIATED WITH BRINGING SCRAP TIRE STOCKPILES  
16 THAT THE DEPARTMENT CONSIDERS TO BE IN AN EMERGENCY ENVIRONMENTAL  
17 STATE INTO COMPLIANCE WITH THIS PART.

18 SEC. 17009. (1) THERE IS CREATED WITHIN THE DEPARTMENT A  
19 SCRAP TIRE ECONOMIC DEVELOPMENT DIVISION TO CARRY OUT THE  
20 DEPARTMENT'S RESPONSIBILITIES UNDER THIS PART INCLUDING THE  
21 FOLLOWING:

22 (A) UPON APPLICATION, DESIGNATE AND LICENSE REGIONAL TIRE  
23 PROCESSING CENTERS AND END USERS WITHIN THE REGIONS.

24 (B) ASSIST OWNERS AND OPERATORS OF PROCESSING CENTERS AND  
25 END USERS IN MARKETING, BUSINESS DEVELOPMENT, AND EVALUATION OF  
26 THEIR BUSINESSES.

1 (C) PROCESS INVOICES AND FORMS NECESSARY TO THE PAYMENT OF  
2 REGIONAL PROCESSING CENTERS AND END USERS FOR SCRAP TIRES  
3 PROCESSED OR USED IN PERMANENT SOLUTIONS AND FOR REPAYMENT OF  
4 RETURN FEES PAID OUT TO SCRAP TIRE HAULERS AND OTHER APPROVED  
5 INDIVIDUALS AND GROUPS.

6 SEC. 17010. (1) ALL ACCUMULATION OF SCRAP TIRES THAT ARE  
7 NOT IN COMPLIANCE WITH THIS PART SHALL BE BROUGHT INTO COMPLIANCE  
8 WITH THIS PART WITHIN 2 YEARS AFTER THE EFFECTIVE DATE OF THIS  
9 PART.

10 (2) A TIRE SHALL NOT BE DISPOSED OF AT A COLLECTION SITE  
11 THAT IS NOT IN COMPLIANCE WITH THIS PART.

12 SEC. 17011. (1) A PERSON WHO VIOLATES THIS PART IS GUILTY  
13 OF A MISDEMEANOR, PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90  
14 DAYS, OR A FINE OF NOT MORE THAN \$10.00 FOR EACH TIRE THAT IS  
15 DISPOSED OF OR ACCUMULATED IN VIOLATION OF THIS PART, OR BOTH.

16 (2) IN ADDITION TO OR AS AN ALTERNATIVE TO THE PENALTIES  
17 PROVIDED UNDER SUBSECTION (1), THE COURT MAY ORDER A PERSON WHO  
18 VIOLATES THIS PART TO PERFORM NOT MORE THAN 100 HOURS OF COMMU-  
19 NITY SERVICE.

20 (3) EACH DAY THAT A VIOLATION CONTINUES CONSTITUTES A SEPA-  
21 RATE VIOLATION.

22 (4) A LAW ENFORCEMENT OFFICER OR A CONSERVATION OFFICER MAY  
23 ISSUE AN APPEARANCE TICKET PURSUANT TO SECTIONS 9C TO 9G OF CHAP-  
24 TER IV OF THE CODE OF CRIMINAL PROCEDURE, 1927 PA 175, MCL 764.9C  
25 TO 764.9G, TO A PERSON WHO IS IN VIOLATION OF THIS PART.

1 Enacting section 1. Part 169 of the natural resources and  
2 environmental protection act, 1994 PA 451, MCL 324.16901 to  
3 324.16910, is repealed.