

SUBSTITUTE FOR
HOUSE BILL NO. 6476

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 16906 (MCL 324.16906), as amended by 2002 PA
496.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16906. (1) A person, other than a property owner removing
2 7 or fewer scrap tires from his or her property, who by contract,
3 agreement, or otherwise arranges for the removal of scrap tires
4 from a property under his or her control, including an end-user,
5 shall maintain at the site of removal ~~all records~~ **THE RECORD**
6 obtained from a registered scrap tire hauler pursuant to section
7 16905(5) and ~~all records~~ **THE RECORD** received from an owner,
8 operator, or authorized agent of a location pursuant to subsection
9 (3). A person who by contract, agreement, or otherwise arranges for

1 the removal of scrap tires from a property under his or her control
2 ~~has no~~ **DOES NOT HAVE AN** affirmative duty to obtain these records
3 and ~~shall not be held~~ **IS NOT** liable for the failure to receive
4 such records. These records shall be maintained at the site of
5 removal for a period of 3 years and shall be made available to the
6 department upon request during ~~normal business~~ **REASONABLE** hours.

7 (2) A person, other than a solid waste hauler or a scrap tire
8 hauler, who receives scrap tires, including an end-user, shall
9 maintain a record of all scrap tires received from a scrap tire
10 hauler by contract, agreement, or otherwise. ~~These records~~ **THE**
11 **RECORD** shall be maintained for a period of 3 years and shall be
12 made available upon request to the department or a peace officer at
13 reasonable hours. ~~These records~~ **THE RECORD** shall contain all of
14 the information required of a scrap tire hauler in section
15 16905(3).

16 (3) Upon delivery of scrap tires by a scrap tire hauler by
17 contract, agreement, or otherwise to a location ~~authorized under~~
18 **DESCRIBED IN** section ~~16902~~ **16902(1)**, the owner, operator, or
19 authorized agent of that location shall sign the record, indicating
20 acceptance of the scrap tires, and provide a copy of the signed
21 record to the person delivering the scrap tires and shall within 30
22 days forward a copy of the signed record to the person who by
23 contract, agreement, or otherwise arranged for the removal of the
24 scrap tires being delivered.

25 (4) **A RETREADER SHALL MAINTAIN FOR A PERIOD OF 3 YEARS, AND**
26 **MAKE AVAILABLE UPON REQUEST TO THE DEPARTMENT OR A PEACE OFFICER AT**
27 **REASONABLE HOURS, ALL RECORDS REQUIRED TO BE CARRIED OR MAINTAINED**

1 WITH THE RETREADER'S TIRE CASINGS INCLUDING ALL OF THE FOLLOWING:

2 (A) A RETREAD WORK ORDER THAT INCLUDES THE CUSTOMER'S NAME,
3 DATE OF TRANSACTION, RETREADER DOT IDENTIFICATION NUMBER PURSUANT
4 TO 49 CFR PART 574, ORDER NUMBER, AND DETAILS OF CASING INFORMATION
5 FOR THE CASING INTENDED FOR PROCESSING. WORK ORDERS SHALL REFLECT
6 THE NUMBER OF TIRES THAT ARE BEING TRANSPORTED AND RETREADED.

7 (B) A WORK ORDER SALES REPORT THAT SPECIFIES THE WORK PROCESS
8 DETAIL FOR THE CUSTOMER WORK ORDER. THIS REPORT SHALL BE RETURNED
9 TO THE CUSTOMER WITH THE WORK ORDER NUMBER AND INVOICE.

10 (C) AN INVOICE STATING THE SALES TRANSACTION OF THE RETREAD
11 PROCESS THAT WAS COMPLETED FOR THE CUSTOMER.

12 Enacting section 1. This amendatory act does not take effect
13 unless all of the following bills of the 93rd Legislature are
14 enacted into law:

15 (a) Senate Bill No. 1423.

16
17 (b) House Bill No. 6477.

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19 (c) Senate Bill No. 1424.

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21 (d) Senate Bill No. 1418.

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23 (e) Senate Bill No. 1419.

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25 (f) Senate Bill No. 1420.

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27 (g) House Bill No. 6474.

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2 (h) Senate Bill No. 1422.

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4 (i) Senate Bill No. 1421.

5 (j) House Bill No. 6475.