

SENATE BILL No. 1419

September 12, 2006, Introduced by Senators BRATER, McMANUS, BIRKHOLZ, JELINEK, BROWN, KUIPERS, CHERRY, GOSCHKA, SCOTT, OLSHOVE, SWITALSKI and BASHAM 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," by amending section 16902 (MCL 324.16902), as amended by 2002 PA 496.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16902. (1) A person shall deliver a scrap tire only to ~~a~~

2 **1 OF THE FOLLOWING THAT IS IN COMPLIANCE WITH THIS PART:**

3 (A) A collection site registered under section 16904. ~~—, a~~

4 (B) **A LOCATION THAT HAS LEGALLY ACCUMULATED SCRAP TIRES BELOW**
5 **THE REGULATORY THRESHOLD FOR QUALIFYING AS A COLLECTION SITE AS**
6 **SPECIFIED IN SECTION 16901(D).**

7 (C) A disposal area licensed under part 115. ~~—, an~~

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1 (D) **AN** end-user. ~~—, a~~

2 (E) **A** scrap tire processor. ~~—, a~~

3 (F) **A** tire retailer. ~~—, or a scrap tire recycler, that is in~~
4 ~~compliance with this part.~~

5 (2) A person ~~who~~ **SHALL NOT** by contract, agreement, or
6 otherwise ~~arranges~~ **ARRANGE** for the removal of scrap tires ~~shall~~
7 ~~do so~~ **EXCEPT** with ~~a solid waste hauler or a~~ **1 OF THE FOLLOWING:**

8 (A) **A** scrap tire hauler who is registered pursuant to section
9 16905(1) and who by contract, agreement, or otherwise is obligated
10 to deliver the scrap tires to the destination as identified ~~in~~
11 **UNDER** section 16905(3)(c).

12 (B) **A PERSON HAULING ONLY A COMMODITY.**

13 (C) **A RETREADER HAULING ONLY TIRE CASINGS.**

14 (D) **A SOLID WASTE HAULER.**

15 (3) Subsection (2) does not do any of the following:

16 (a) Prohibit a person ~~who is not operating a commercial~~
17 ~~business~~ from transporting his or her scrap tires to a site
18 authorized by subsection (1).

19 (b) Prohibit a member of a nonprofit service organization who
20 is participating in a community service project from transporting
21 scrap tires to a site authorized by subsection (1).

22 (c) Prohibit the owner of a farm ~~as defined in section 2 of~~
23 ~~the Michigan right to farm act, 1982 PA 93, MCL 286.472,~~ from
24 transporting scrap tires that originated from his or her farm
25 operation to a location authorized by subsection (1).

26 (d) Prohibit a solid waste hauler ~~as defined in part 115~~
27 from transporting solid waste to a disposal area licensed under

1 part 115.

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

5 (a) Senate Bill No. 1423.

6

7 (b) House Bill No. 6477.

8 (c) Senate Bill No. 1424.

9

10 (d) Senate Bill No. 1418.

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12 (e) Senate Bill No. 1420.

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14 (f) House Bill No. 6474.

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16 (g) Senate Bill No. 1422.

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18 (h) Senate Bill No. 1421.

19

20 (i) House Bill No. 6476.

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22 (j) House Bill No. 6475.

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