

# HOUSE BILL No. 6476

September 14, 2006, Introduced by Reps. Palsrok, Gillard, Miller and Pavlov and referred to the Committee on Natural Resources, Great Lakes, Land Use, and Environment.

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

1 (3). A person who by contract, agreement, or otherwise arranges for  
2 the removal of scrap tires from a property under his or her control  
3 ~~has no~~ **DOES NOT HAVE AN** affirmative duty to obtain these records  
4 and ~~shall not be held~~ **IS NOT** liable for the failure to receive  
5 such records. These records shall be maintained at the site of  
6 removal for a period of 3 years and shall be made available to the  
7 department **OR A PEACE OFFICER** upon request during ~~normal business~~  
8 **REASONABLE** hours.

9 (2) A person, other than a solid waste hauler or a scrap tire  
10 hauler, who receives scrap tires, including an end-user, shall  
11 maintain a record of all scrap tires received from a scrap tire  
12 hauler by contract, agreement, or otherwise. ~~These records~~ **THE**  
13 **RECORD** shall be maintained for a period of 3 years and shall be  
14 made available upon request to the department or a peace officer at  
15 reasonable hours. ~~These records~~ **THE RECORD** shall contain all of  
16 the information required of a scrap tire hauler in section  
17 16905(3).

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

27 (4) **A RETREADER SHALL MAINTAIN FOR A PERIOD OF 3 YEARS, AND**

1 MAKE AVAILABLE UPON REQUEST TO THE DEPARTMENT OR A PEACE OFFICER AT  
2 REASONABLE HOURS, ALL RECORDS REQUIRED TO BE CARRIED OR MAINTAINED  
3 WITH THE RETREADER'S TIRE CASINGS INCLUDING ALL OF THE FOLLOWING:

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

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

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

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

17 (a) Senate Bill No. 1423 or House Bill No. (request no.  
18 05010'05).

19 (b) Senate Bill No.\_\_\_\_ or House Bill No. 6477 (request no.  
20 06892'06).

21 (c) Senate Bill No. 1424 or House Bill No.\_\_\_\_ (request no.  
22 07116'06 \*).

23 (d) Senate Bill No. 1418 or House Bill No.\_\_\_\_ (request no.  
24 07316'06).

25 (e) Senate Bill No. 1419 or House Bill No.\_\_\_\_ (request no.  
26 07318'06).

27 (f) Senate Bill No. 1420 or House Bill No.\_\_\_\_ (request no.

1 07326'06).

2 (g) Senate Bill No.\_\_\_\_ or House Bill No. 6474 (request no.  
3 07328'06).

4 (h) Senate Bill No. 1422 or House Bill No.\_\_\_\_ (request no.  
5 07332'06).

6 (i) Senate Bill No. 1421 or House Bill No.\_\_\_\_ (request no.  
7 07333'06).

8 (j) Senate Bill No.\_\_\_\_ or House Bill No. 6475 (request no.  
9 07348'06).