

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~~

(D) **AN** end-user. ~~—, a~~

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

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

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

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

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

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

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

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

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

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

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

(d) Prohibit a solid waste hauler ~~as defined in part 115~~ 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) Senate Bill No.____ or House Bill No.____ (request no.
8 06892'06).

9 (c) Senate Bill No. 1424.

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11 (d) Senate Bill No. 1418.

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13 (e) Senate Bill No. 1420.

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15 (f) Senate Bill No.____ or House Bill No.____ (request no.
16 07328'06).

17 (g) Senate Bill No. 1422.

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19 (h) Senate Bill No. 1421.

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21 (i) Senate Bill No.____ or House Bill No.____ (request no.
22 07338'06).

23 (j) Senate Bill No.____ or House Bill No.____ (request no.
24 07348'06).