

Act No. 529
Public Acts of 2006
Approved by the Governor
December 28, 2006
Filed with the Secretary of State
December 29, 2006
EFFECTIVE DATE: December 29, 2006

**STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2006**

Introduced by Reps. Palsrok, Gillard, Miller and Pavlov

ENROLLED HOUSE BILL No. 6476

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 16906 (MCL 324.16906), as amended by 2002 PA 496.

The People of the State of Michigan enact:

Sec. 16906. (1) A person, other than a property owner removing 7 or fewer scrap tires from his or her property, who by contract, agreement, or otherwise arranges for the removal of scrap tires from a property under his or her control, including an end-user, shall maintain at the site of removal the record obtained from a registered scrap tire hauler pursuant to section 16905(5) and the record received from an owner, operator, or authorized agent of a location pursuant to subsection (3). A person who by contract, agreement, or otherwise arranges for the removal of scrap tires from a property under his or her control does not have an affirmative duty to obtain these records and is not liable for the failure to receive such records. These records shall be maintained at the site of removal for a period of 3 years and shall be made available to the department upon request during reasonable hours.

(2) A person, other than a solid waste hauler or a scrap tire hauler, who receives scrap tires, including an end-user, shall maintain a record of all scrap tires received from a scrap tire hauler by contract, agreement, or otherwise. The record shall be maintained for a period of 3 years and shall be made available upon request to the department or a peace officer at reasonable hours. The record shall contain all of the information required of a scrap tire hauler in section 16905(3).

(3) Upon delivery of scrap tires by a scrap tire hauler by contract, agreement, or otherwise to a location described in section 16902(1), the owner, operator, or authorized agent of that location shall sign the record, indicating acceptance of the scrap tires, and provide a copy of the signed record to the person delivering the scrap tires and shall within 30 days forward a copy of the signed record to the person who by contract, agreement, or otherwise arranged for the removal of the scrap tires being delivered.

(4) A retreader shall maintain for a period of 3 years, and make available upon request to the department or a peace officer at reasonable hours, all records required to be carried or maintained with the retreader's tire casings including all of the following:

(a) A retread work order that includes the customer's name, date of transaction, retreader DOT identification number pursuant to 49 CFR part 574, order number, and details of casing information for the casing intended for processing. Work orders shall reflect the number of tires that are being transported and retreaded.

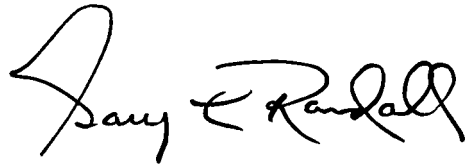
(b) A work order sales report that specifies the work process detail for the customer work order. This report shall be returned to the customer with the work order number and invoice.

(c) An invoice stating the sales transaction of the retread process that was completed for the customer.

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

- (a) Senate Bill No. 1423.
- (b) House Bill No. 6477.
- (c) Senate Bill No. 1424.
- (d) Senate Bill No. 1418.
- (e) Senate Bill No. 1419.
- (f) Senate Bill No. 1420.
- (g) House Bill No. 6474.
- (h) Senate Bill No. 1422.
- (i) Senate Bill No. 1421.
- (j) House Bill No. 6475.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor