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WASTE TIRE RECYCLING AMENDMENTS

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: Neal B. Hendrickson

AN ACT RELATING TO THE WASTE TIRE RECYCLING ACT; TRANSFERRING THE WASTE TIRE RECYCLING ACT TO THE ENVIRONMENTAL QUALITY CODE; AND REAUTHORIZING THE WASTE TIRE RECYCLING ACT FOR A PERIOD OF FIVE YEARS.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

9-2-1208, as enacted by Chapter 213, Laws of Utah 1995

63-55-219, as last amended by Chapter 219, Laws of Utah 1999

63-55-226, as last amended by Chapter 156, Laws of Utah 1999

RENUMBERS AND AMENDS:

19-6-801, (Renumbered from 26-32a-101, as enacted by Chapter 185, Laws of Utah 1990)

19-6-802, (Renumbered from 26-32a-102, as enacted by Chapter 185, Laws of Utah 1990)

19-6-803, (Renumbered from 26-32a-103, as last amended by Chapter 111, Laws of Utah 1999)

19-6-804, (Renumbered from 26-32a-103.5, as last amended by Chapters 21 and 111, Laws of Utah 1999)

19-6-805, (Renumbered from 26-32a-104, as last amended by Chapter 111, Laws of Utah 1999)

19-6-806, (Renumbered from 26-32a-104.5, as last amended by Chapter 111, Laws of Utah 1999)

19-6-807, (Renumbered from 26-32a-105, as last amended by Chapter 10, Laws of Utah 1997)

19-6-808, (Renumbered from 26-32a-106, as enacted by Chapter 185, Laws of Utah 1990)

19-6-809, (Renumbered from 26-32a-107, as last amended by Chapters 21 and 111, Laws

HB0215

28 of Utah 1999)

29 **19-6-810**, (Renumbered from 26-32a-107.5, as last amended by Chapter 111, Laws of
30 Utah 1999)

31 **19-6-811**, (Renumbered from 26-32a-107.7, as last amended by Chapter 111, Laws of
32 Utah 1999)

33 **19-6-812**, (Renumbered from 26-32a-107.8, as last amended by Chapter 111, Laws of
34 Utah 1999)

35 **19-6-813**, (Renumbered from 26-32a-108, as last amended by Chapter 111, Laws of Utah
36 1999)

37 **19-6-814**, (Renumbered from 26-32a-109, as enacted by Chapter 185, Laws of Utah 1990)

38 **19-6-815**, (Renumbered from 26-32a-110, as last amended by Chapter 111, Laws of Utah
39 1999)

40 **19-6-816**, (Renumbered from 26-32a-111, as last amended by Chapter 213, Laws of Utah
41 1995)

42 **19-6-817**, (Renumbered from 26-32a-111.5, as last amended by Chapter 111, Laws of
43 Utah 1999)

44 **19-6-818**, (Renumbered from 26-32a-112, as last amended by Chapter 111, Laws of Utah
45 1999)

46 **19-6-819**, (Renumbered from 26-32a-112.3, as enacted by Chapter 111, Laws of Utah
47 1999)

48 **19-6-820**, (Renumbered from 26-32a-112.5, as enacted by Chapter 111, Laws of Utah
49 1999)

50 **19-6-821**, (Renumbered from 26-32a-112.7, as enacted by Chapter 111, Laws of Utah
51 1999)

52 **19-6-822**, (Renumbered from 26-32a-112.9, as enacted by Chapter 111, Laws of Utah
53 1999)

54 **19-6-823**, (Renumbered from 26-32a-113, as enacted by Chapter 185, Laws of Utah 1990)

55 **19-6-824**, (Renumbered from 26-32a-114, as enacted by Chapter 213, Laws of Utah 1995)

56 *Be it enacted by the Legislature of the state of Utah:*

57 Section 1. Section **9-2-1208** is amended to read:

58 **9-2-1208. Waste tire recycling industry loans.**

59 Loans made through the Waste Tire Recycling Industrial Assistance Loan Program are
60 made under this part, subject to provisions in Section [~~26-32a-114~~] 19-6-824.

61 Section 2. Section **19-6-801**, which is renumbered from Section 26-32a-101 is renumbered
62 and amended to read:

63 **Part 8. Waste Tire Recycling Act**

64 [~~26-32a-101~~]. **19-6-801. Title.**

65 This [chapter] part is known as the "Waste Tire Recycling Act."

66 Section 3. Section **19-6-802**, which is renumbered from Section 26-32a-102 is renumbered
67 and amended to read:

68 [~~26-32a-102~~]. **19-6-802. Legislative findings.**

69 (1) The Legislature finds that the disposal of waste tires is a matter of statewide concern
70 and that recycling of waste tires should be promoted in light of the health and environmental
71 benefits.

72 (2) The Legislature further finds that the recycling of waste tires will decrease the number
73 of tires which are disposed of in landfills and will reduce the health and safety hazards posed by
74 existing stockpiles of waste tires.

75 (3) It is the intent of the Legislature in adopting this [chapter] part to encourage the
76 development of the recycling industry and the development of markets for recycled products.

77 Section 4. Section **19-6-803**, which is renumbered from Section 26-32a-103 is renumbered
78 and amended to read:

79 [~~26-32a-103~~]. **19-6-803. Definitions.**

80 As used in this [chapter] part:

81 (1) "Abandoned waste tire pile" means a waste tire pile regarding which the local
82 department of health has not been able to:

- 83 (a) locate the persons responsible for the tire pile; or
84 (b) cause the persons responsible for the tire pile to remove it.

85 (2) (a) "Beneficial use" means the use of chipped waste tires or chipped material derived
86 from waste tires in a manner that is not recycling, storage, or disposal, but that serves as a
87 replacement for another product or material for specific purposes, including daily landfill cover,
88 civil engineering, low-density, light-weight aggregate fill, and septic or drain field construction.

89 (b) "Beneficial use" does not include use of waste tires or material derived from waste tires

90 in the construction of fences, or as fill.

91 (3) "Board" means the Solid and Hazardous Waste Control Board created under Section
92 19-1-106.

93 (4) "Chip" or "chipped tire" means a two inch square or smaller piece of tire.

94 (5) "Commission" means the Utah State Tax Commission.

95 (6) "Consumer":

96 (a) means a person who purchases a new tire to satisfy a direct need, rather than for resale;
97 and

98 (b) includes a person who purchases a new tire for a motor vehicle to be rented or leased.

99 (7) "Crumb rubber" means waste tires that have been ground, shredded, or otherwise
100 reduced in size so the resulting material is 95% wire free by weight.

101 (8) "Dispose" or "disposal" means to deposit, dump, or permanently place any waste tire
102 in or on any land or in any water in the state.

103 (9) "Division" means the Division of Solid and Hazardous Waste created in Section
104 19-1-105, within the Department of Environmental Quality.

105 (10) "Executive secretary" means the executive secretary of the Solid and Hazardous
106 Waste Control Board created in Section 19-1-106.

107 (11) "Landfill waste tire pile" means a waste tire pile located within the permitted
108 boundary of a landfill operated by a governmental entity and consisting solely of waste tires
109 brought to a landfill for disposal and diverted from the landfill waste stream to the waste tire pile.

110 (12) "Local health department" means the city-county health department or district health
111 department, as defined in Section 26A-1-102, with jurisdiction over the recycler.

112 (13) "Materials derived from waste tires" means tire sections, tire chips, tire shreadings,
113 rubber, steel, fabric, or other similar materials derived from waste tires.

114 (14) "Mobile facility" means a mobile facility capable of cutting waste tires on site so the
115 waste tires may be effectively disposed by burial, such as in a landfill.

116 (15) "New motor vehicle" means a motor vehicle which has never been titled or registered.

117 (16) "Passenger tire equivalent" means a measure of mixed sizes of tires where each 25
118 pounds of whole tires or material derived from waste tires is equal to one waste tire.

119 (17) "Proceeds of the fee" means the money collected by the commission from payment
120 of the recycling fee including interest and penalties on delinquent payments.

121 (18) "Recycler" means a person who:

122 (a) uses or can reasonably be expected within the next year to use a minimum of 100,000
123 waste tires or 1,000 tons of waste tires per year to produce energy, crumb rubber, chipped tires, an
124 ultimate product, or to apply to a beneficial use, but does not include tires that are stored, disposed
125 of, retreaded, or sold as used tires; and

126 (b) is registered as a recycler in accordance with Section [~~26-32a-104.5~~] 19-6-806.

127 (19) "Recycling fee" means the fee provided for in Section [~~26-32a-104~~] 19-6-805.

128 (20) (a) Before January 1, 2000, "shredded," when referring to waste tires, means waste
129 tires or material derived from waste tires that has been subjected to a "primary shred" as defined
130 by board rule. The rule shall define the maximum size of a piece of material derived from waste
131 tires that is considered to be the result of a primary shred.

132 (b) On and after January 1, 2000, "shredded," when referring to waste tires, means waste
133 tires or material derived from waste tires that has been reduced to a six inch square or smaller.

134 (21) (a) "Store" or "storage" means the placing of waste tires in a manner that does not
135 constitute disposal of the waste tires.

136 (b) "Store" or "storage" does not include waste tires or material derived from waste tires
137 that is stored for five or fewer days and that is to be:

138 (i) used as ballast to maintain covers on agricultural materials or to maintain covers at a
139 construction site; or

140 (ii) recycled or applied to a beneficial use.

141 (22) "Tire" means a pneumatic rubber covering designed to encircle the wheel of a vehicle
142 in which a person or property is or may be transported or drawn upon a highway.

143 (23) "Tire retailer" means any person engaged in the business of selling new tires either
144 as replacement tires or as part of a new vehicle sale.

145 (24) "Trust fund" means the Waste Tire Recycling Expendable Trust Fund provided for
146 in Section [~~26-32a-105~~] 19-6-807.

147 (25) (a) "Ultimate product" means a product that has as a component materials derived
148 from waste tires and that the board finds has a demonstrated market.

149 (b) "Ultimate product":

150 (i) includes pyrolized materials derived from waste tires and chipped tires; and

151 (ii) does not include a product regarding which a waste tire remains after the product is

152 disposed or disassembled.

153 (26) "Waste tire" means a tire that is no longer suitable for its original intended purpose
154 because of wear, damage, or defect.

155 (27) "Waste tire pile" means a pile of 1,000 or more waste tires at one location.

156 (28) "Waste tire transporter":

157 (a) means a person or entity engaged in picking up or transporting at one time more than
158 ten whole waste tires per year, or the equivalent amount of material derived from waste tires,
159 generated in Utah for the purpose of storage, processing, or disposal;

160 (b) includes any person engaged in the business of collecting, hauling, or transporting
161 waste tires or who performs these functions for another person;

162 (c) does not include a person transporting tires generated solely by:

163 (i) that person's personal vehicles;

164 (ii) a commercial vehicle fleet owned or operated by that person or that person's employer;

165 (iii) vehicles sold, leased, or purchased by a motor vehicle dealership owned or operated
166 by that person or that person's employer;

167 (iv) a retail tire business and hauled by the business owner or an employee of the business;

168 (v) a solid waste collector operating under a license issued by a unit of local government
169 as defined in Section 63-51-2, or a local health department; or

170 (vi) a recycler or processor of whole waste tires into chipped tires; and

171 (d) does not include a person transporting tires by rail as a common carrier subject to
172 federal regulation.

173 Section 5. Section **19-6-804**, which is renumbered from Section 26-32a-103.5 is
174 renumbered and amended to read:

175 ~~[26-32a-103.5]~~. **19-6-804. Restrictions on disposal of tires -- Penalties.**

176 (1) (a) After January 1, 1994, an individual, including a waste tire transporter, may not
177 dispose of more than four whole tires at one time in a landfill or any other location in the state
178 authorized by the executive secretary to receive waste tires, except for purposes authorized by
179 board rule.

180 (b) Tires are exempt from this Subsection (1) if the original tire has a rim diameter greater
181 than 24.5 inches.

182 (c) No person, including a waste tire transporter, may dispose of waste tires or store waste

183 tires in any manner not allowed under this chapter or rules made under this [chapter] part.

184 (2) The operator of the landfill or other authorized location shall direct that the waste tires
185 be disposed in a designated area to facilitate retrieval if a market becomes available for the
186 disposed waste tires or material derived from waste tires.

187 (3) An individual, including a waste tire transporter, may dispose of shredded waste tires
188 in a landfill in accordance with Section [~~26-32a-107.8~~] 19-6-812, and may also, without
189 reimbursement, dispose in a landfill materials derived from waste tires that do not qualify for
190 reimbursement under Section [~~26-32a-107.8~~] 19-6-812, but the landfill shall dispose of the
191 material in accordance with Section [~~26-32a-107.8~~] 19-6-812.

192 (4) (a) An individual, including a waste tire transporter, violating this section is subject
193 to enforcement proceedings and a civil penalty of not more than \$100 per waste tire or per
194 passenger tire equivalent disposed of in violation of this section. A warning notice may be issued
195 prior to taking further enforcement action under this Subsection (4).

196 (b) A civil proceeding to enforce this section and collect penalties under this section may
197 be brought in the district court where the violation occurred by the board, the local health
198 department, or the county attorney having jurisdiction over the location where the tires were
199 disposed in violation of this section.

200 (c) Penalties collected under this section shall be deposited in the trust fund.

201 Section 6. Section **19-6-805**, which is renumbered from Section 26-32a-104 is renumbered
202 and amended to read:

203 [~~26-32a-104~~]. **19-6-805. Recycling fee.**

204 (1) (a) Beginning July 1, 1990, a recycling fee is imposed upon each purchase from a tire
205 retailer of a new tire by a consumer. The fee shall be paid by the consumer to the tire retailer at the
206 time the new tire is purchased.

207 (b) The recycling fee does not apply to recapped or resold used tires.

208 (2) The fee for each tire with a rim diameter up to and including 24.5 inches, single or dual
209 bead capacity is:

210 (a) \$1, before July 1, 1996;

211 (b) 50 cents on and after July 1, 1996; and

212 (c) 85 cents on and after July 1, 1999.

213 Section 7. Section **19-6-806**, which is renumbered from Section 26-32a-104.5 is

214 renumbered and amended to read:

215 ~~[26-32a-104.5]~~. **19-6-806. Registration of waste tire transporters and recyclers.**

216 (1) (a) The executive secretary shall register each applicant for registration to act as a
217 waste tire transporter if the applicant meets the requirements of this section.

218 (b) An applicant for registration as a waste tire transporter shall:

219 (i) submit an application in a form prescribed by the executive secretary;

220 (ii) pay a fee as determined by the board under Section 63-38-3.2;

221 (iii) provide the name and business address of the operator;

222 (iv) provide proof of liability insurance or other form of financial responsibility in an
223 amount determined by board rule, but not more than \$300,000, for any liability the waste tire
224 transporter may incur in transporting waste tires; and

225 (v) meet requirements established by board rule.

226 (c) The holder of a registration under this section shall advise the executive secretary in
227 writing of any changes in application information provided to the executive secretary within 20
228 days of the change.

229 (d) If the executive secretary has reason to believe a waste tire transporter has disposed of
230 tires other than as allowed under this ~~[chapter]~~ part, the executive secretary shall conduct an
231 investigation and, after complying with the procedural requirements of Title 63, Chapter 46b,
232 Administrative Procedures Act, may revoke the registration.

233 (2) (a) The executive secretary shall register each applicant for registration to act as a
234 waste tire recycler if the applicant meets the requirements of this section.

235 (b) An applicant for registration as a waste tire recycler shall:

236 (i) submit an application in a form prescribed by the executive secretary;

237 (ii) pay a fee as determined by the board under Section 63-38-3.2;

238 (iii) provide the name and business address of the operator of the recycling business;

239 (iv) provide proof of liability insurance or other form of financial responsibility in an
240 amount determined by board rule, but not more than \$300,000, for any liability the waste tire
241 recycler may incur in storing and recycling waste tires;

242 (v) engage in activities as described under the definition of recycler in Section
243 ~~[26-32a-103]~~ 19-6-803; and

244 (vi) meet requirements established by board rule.

245 (c) The holder of a registration under this section shall advise the executive secretary in
246 writing of any changes in application information provided to the executive secretary within 20
247 days of the change.

248 (d) If the executive secretary has reason to believe a waste tire recycler has falsified any
249 information provided in an application for partial reimbursement under this section, the executive
250 secretary shall, after complying with the procedural requirements of Title 63, Chapter 46b,
251 Administrative Procedures Act, revoke the registration.

252 (3) The board shall establish a uniform fee for registration which shall be imposed by any
253 unit of local government or local health department that requires a registration fee as part of the
254 registration of waste tire transporters or waste tire recyclers.

255 Section 8. Section **19-6-807**, which is renumbered from Section 26-32a-105 is renumbered
256 and amended to read:

257 ~~[26-32a-105]~~. **19-6-807. Trust fund -- Creation -- Deposits.**

258 (1) There is created the Waste Tire Recycling Expendable Trust Fund.

259 (2) Proceeds of the fee shall be deposited in the trust fund for payment of partial
260 reimbursement and payments under Section ~~[26-32a-107.7]~~ 19-6-811.

261 Section 9. Section **19-6-808**, which is renumbered from Section 26-32a-106 is renumbered
262 and amended to read:

263 ~~[26-32a-106]~~. **19-6-808. Payment of recycling fee.**

264 (1) The recycling fee shall be paid by the tire retailer to the commission:

265 (a) on or before the last day of the month following the calendar quarter in which the sale
266 occurs for quarterly filers; and

267 (b) the last day of January following the end of the calendar year for annual filers.

268 (2) The payment shall be accompanied by the form prescribed by the commission.

269 (3) (a) The proceeds of the fee shall be transferred by the commission to the trust fund for
270 payment of partial reimbursement.

271 (b) The commission may retain an amount not to exceed 2-1/2% of the recycling fee
272 collected under this ~~[chapter]~~ part for the cost to it of rendering its services.

273 (4) (a) The commission shall administer, collect, and enforce the fee authorized under this
274 ~~[chapter]~~ part pursuant to the same procedures used in the administration, collection, and
275 enforcement of the general state sales and use tax under Title 59, Chapter 12, and the provisions

276 of Title 59, Chapter 1. The tire retailer may retain 2-1/2% of the recycling fee collected under this
277 [chapter] part for the cost of collecting the fee.

278 (b) The exemptions from the general state sales and use tax provided for in Section
279 59-12-104 do not apply to this [chapter] part.

280 (5) The fee imposed by this [chapter] part is in addition to all other state, county, or
281 municipal fees and taxes imposed on the sale of new tires.

282 Section 10. Section **19-6-809**, which is renumbered from Section 26-32a-107 is
283 renumbered and amended to read:

284 ~~[26-32a-107]~~. **19-6-809. Partial reimbursement.**

285 (1) (a) Any recycler may submit an application under Section ~~[26-32a-108]~~ 19-6-813 to
286 the local health department having jurisdiction over the applicant's business address for partial
287 reimbursement of the cost of transporting and processing, if the recycler on or after the effective
288 date of this act uses waste tires or materials derived from waste tires that meet requirements of
289 Subsection (4) exclusively for:

- 290 (i) energy recovery;
- 291 (ii) creation of ultimate products;
- 292 (iii) crumb rubber;
- 293 (iv) any use defined by board rule as recycling; or
- 294 (v) any beneficial use.

295 (b) A recycler who recycles, at an out-of-state location, tires that are generated within the
296 state shall apply to the executive secretary for partial reimbursement, rather than to a local health
297 department.

298 (c) A recycler who qualifies under this section for partial reimbursement may waive the
299 reimbursement and request in writing that the reimbursement be paid to a person who delivers
300 waste tires or material derived from waste tires to a recycler or processes the waste tires prior to
301 the recycler's receipt of the waste tires or his receipt of materials derived from the waste tires for
302 recycling, but only if the recycler is conducting the recycling operation within the state.

303 (2) (a) Subject to the limitations in Section ~~[26-32a-111]~~ 19-6-816, a recycler is entitled
304 to \$75 as partial reimbursement for each ton of tires recycled on and after the effective date of this
305 act.

306 (b) Subject to the limitations in Section ~~[26-32a-111]~~ 19-6-816, a recycler is entitled to

307 \$60 as partial reimbursement for each ton of waste tires or material derived from waste tires used
308 for a beneficial use on and after the effective date of this act.

309 (3) (a) In order for a recycler within the state to be eligible for partial reimbursement, the
310 recycler shall establish in cooperation with tire retailers or transporters, or with both, a reasonable
311 schedule to remove waste tires in sufficient quantities to allow for economic transportation of
312 waste tires located in any municipality within the state as defined in Section 10-1-104.

313 (b) A recycler complying with Subsection (3)(a) or a recycler operating at an out-of-state
314 location may also receive partial reimbursement for recycling tires received from locations other
315 than those associated with retail tire businesses, including waste tires from waste tire piles and
316 abandoned waste tire piles, under Section [~~26-32a-107.5~~] 19-6-810.

317 (4) A recycler under Subsection (1) shall also demonstrate the waste tires or materials
318 derived from waste tires that qualify for the reimbursement:

319 (a) (i) were removed and transported by a registered tire transporter, a recycler, or a tire
320 retailer; or

321 (ii) were generated by a private person who is not a waste tire transporter as defined in
322 Section [~~26-32a-103~~] 19-6-803, and that person brings the waste tires to the recycler;

323 (b) were generated in the state; and

324 (c) if the tires are from a waste tire pile or abandoned waste tire pile, the recycler complies
325 with the applicable provisions of Section [~~26-32a-107.5~~] 19-6-810.

326 Section 11. Section **19-6-810**, which is renumbered from Section 26-32a-107.5 is
327 renumbered and amended to read:

328 ~~[26-32a-107.5]~~. **19-6-810. Recycling tires from abandoned tire piles and other**
329 **tire piles.**

330 (1) A recycler may be reimbursed for recycling or beneficial use of tires from an
331 abandoned tire pile if:

332 (a) prior to recycling or the beneficial use of any of the tires, he receives an affidavit from
333 the local health department of the jurisdiction where the tire pile is located, stating the tire pile is
334 abandoned and the local health department has not been able to locate the persons responsible for
335 the tire pile or has not been able to cause the persons responsible for the tire pile to remove it;

336 (b) the waste tire transporter who transports the tires to the recycler is registered, has
337 received from the local health department an affidavit stating it has authorized the transporter to

338 remove the tires and deliver them to a recycler, and provides a copy of the affidavit to the recycler;
339 and

340 (c) the recycler provides to the local health department or the executive secretary, as is
341 appropriate under Section [~~26-32a-107~~] 19-6-809, proof of compliance with this Subsection (1)
342 in the required form and the information required under Section [~~26-32a-107~~] 19-6-809.

343 (2) A recycler may receive the partial reimbursement for recycling or the beneficial use
344 of waste tires from waste tire piles that are not abandoned if:

345 (a) prior to recycling or the beneficial use of any of the waste tires, he receives an affidavit
346 from the local health department of the jurisdiction where the waste tire pile is located, stating the
347 tire pile is not abandoned;

348 (b) he obtains an affidavit from the owner of the waste tire pile or his authorized designee
349 stating:

350 (i) the tires are from a pile to which no tires have been added after June 30, 1991; or

351 (ii) if the tires are from a tire pile to which tires have been added after June 30, 1991, all
352 the tires provided to the recycler were generated within the state;

353 (c) the tires are transported to the recycler by a registered waste tire transporter, who
354 provides a manifest to the recycler; and

355 (d) the recycler provides to the local health department or the executive secretary, as is
356 appropriate under Section [~~26-32a-107~~] 19-6-809, proof of compliance with this Subsection (2)
357 in the required form and the information required under Section [~~26-32a-107~~] 19-6-809.

358 Section 12. Section **19-6-811**, which is renumbered from Section 26-32a-107.7 is
359 renumbered and amended to read:

360 [~~26-32a-107.7~~]. **19-6-811. Funding for management of certain landfill or**
361 **abandoned tire piles -- Limitations.**

362 (1) Except as limited under Subsection (3), a county or municipality may apply to the
363 executive secretary for payment from the trust fund for the costs of a waste tire transporter's
364 removing waste tires from an abandoned waste tire pile or a landfill waste tire pile operated by a
365 state or local governmental entity to a recycler under the following procedure:

366 (a) (i) The maximum number of miles for which the executive secretary may reimburse
367 for transportation costs incurred by a waste tire transporter under this section, is the number of
368 miles, one way, between the location of the waste tire pile and the State Capitol Building, in Salt

369 Lake City, Utah, or to the recycler, whichever is less.

370 (ii) This maximum number of miles available for reimbursement applies regardless of the
371 location of the recycler to which the waste tires are transported under this section.

372 (iii) The executive secretary shall, upon request, advise any person preparing a bid under
373 this section of the maximum number of miles available for reimbursement under this Subsection
374 (1)(a).

375 (iv) The cost under this Subsection (1) shall be calculated based on the cost to transport
376 one ton of waste tires one mile.

377 (b) The county or municipality shall through a competitive bidding process make a good
378 faith attempt to obtain a bid for the removal of the landfill or abandoned waste tire pile and
379 transport to a recycler.

380 (c) The county or municipality shall submit to the executive secretary:

381 (i) (A) a statement from the local health department stating the landfill waste tire pile is
382 operated by a state or local governmental entity, consists solely of waste tires diverted from the
383 landfill waste stream and describing the size and location of the landfill waste tire pile; or

384 (B) a statement from the local health department that the waste tire pile is abandoned; and

385 (ii) the bid selected by the county or municipality or the fact that no bids were received.

386 (2) (a) If a bid is submitted, the executive secretary shall determine if the bid is reasonable,
387 taking into consideration:

388 (i) the location and size of the landfill or abandoned waste tire pile;

389 (ii) the number and size of any other landfill or abandoned waste tire piles in the area;

390 (iii) the cost, as allowed under Subsection (1)(a), of transporting the landfill or abandoned
391 waste tires to a recycler as compared to the cost of contracting with a mobile facility to cut the
392 waste tires so they may be disposed in the landfill; and

393 (iv) the current market for waste tires of the type in the landfill or abandoned waste tire
394 pile.

395 (b) The executive secretary shall advise the county or municipality within 30 days of
396 receipt of the bid whether or not the bid is determined to be reasonable.

397 (c) If the bid is found to be reasonable, the county or municipality may proceed to have
398 the landfill or abandoned waste tire pile removed pursuant to the bid. The county or municipality
399 shall advise the executive secretary that the landfill or abandoned waste tire pile has been removed.

400 (d) The recycler or waste tire transporter that removed the landfill or abandoned waste tires
401 pursuant to the bid shall submit to the executive secretary a copy of the manifest, which shall state
402 the number or tons of waste tires transported, the location they were removed from, the recycler
403 to which the waste tires were delivered, and the amount charged by the transporter.

404 (e) Upon receipt of the information required under Subsection (2)(d), and determination
405 that the information is complete, the executive secretary shall, within 30 days after receipt
406 authorize the Division of Finance to reimburse the waste tire transporter the amount established
407 under this Subsection (2).

408 (3) (a) A county or municipality may not apply for payment under this section for removal
409 of a waste tire pile if it accumulates in the county or municipality on or after July 1, 1999.

410 (b) The costs of removing a waste tire pile under Subsection (3)(a) is the responsibility of
411 the county or municipality where the waste tire pile is located.

412 Section 13. Section **19-6-812**, which is renumbered from Section 26-32a-107.8 is
413 renumbered and amended to read:

414 **[26-32a-107.8]. 19-6-812. Landfilling shredded tires -- Reimbursement.**

415 (1) Waste tires received from any source may be disposed in a landfill in Utah operated
416 by a state or local governmental entity or in a commercial landfill in Utah operated in compliance
417 with all relevant requirements of Title 19, Chapter 6, Part 1, Solid and Hazardous Waste Act, if:

418 (a) the waste tires are shredded; and

419 (b) the waste tires are stored in a segregated cell or other landfill facility that ensures the
420 disposed shredded waste tires are in a clean and accessible condition so they may be reasonably
421 retrieved and recycled at a future time.

422 (2) (a) The owner or operator of the landfill may apply for and receive reimbursement per
423 ton of tires placed in a landfill in compliance with Subsection (1), but only if the waste tires are
424 generated from tires used in the state, and not from used tires or waste tires brought in from out
425 of state.

426 (b) On and after the effective date, reimbursement under this section is at the following
427 rates per ton:

428 (i) for waste tires placed in a landfill under this section in accordance with a contract with
429 the landfill owner or operator that was finalized and in effect prior to the effective date of this
430 section:

- 431 (A) \$65 for waste tires disposed in the landfill on or before October 31, 1996;
- 432 (B) \$50 for waste tires disposed in the landfill on and after November 1, 1996 and before
433 May 1, 1997; and
- 434 (C) \$30 for waste tires disposed in the landfill on and after May 1, 1997; and
- 435 (ii) \$30 regarding waste tires placed in a landfill under this section and that are not the
436 subject of a contract for being placed in a landfill under Subsection (2)(b)(i).
- 437 (c) An application for payment under this subsection shall include complete records,
438 including the site from which the tires are removed, the landfill where the tires are disposed, and
439 the amount of shredded tires disposed.
- 440 (3) The application process for receiving payment under this section is the same as the
441 process for recyclers applying for partial reimbursement under this [chapter] part.
- 442 (4) Waste tires, in any form, for which reimbursement is paid under this section, are not
443 subject to any further or additional reimbursement under this [chapter] part at any time.
- 444 (5) Reimbursement under this section may only be made for waste tires that have been
445 shredded and placed in a landfill in compliance with this section.
- 446 Section 14. Section **19-6-813**, which is renumbered from Section 26-32a-108 is
447 renumbered and amended to read:
- 448 **[26-32a-108]. 19-6-813. Application for partial reimbursement -- Penalty.**
- 449 (1) An application for partial reimbursement shall be on the form prescribed by the local
450 health department or the executive secretary, as is appropriate under Section [26-32a-107]
451 19-6-809, and shall include:
- 452 (a) the recycler's name and a brief description of the recycler's business;
- 453 (b) the quantity, in tons, of waste tires recycled or used in a beneficial use;
- 454 (c) originals or copies of log books, receipts, bills of lading, or other similar documents
455 to establish the tonnage of waste tires recycled or used in a beneficial use;
- 456 (d) a description of how the waste tires were recycled;
- 457 (e) proof that is satisfactory to the local health department or the executive secretary, as
458 is appropriate under Section [26-32a-107] 19-6-809, that the waste tires were recycled or used in
459 a beneficial use; and
- 460 (f) the affidavit of the recycler warranting that the recycled waste tires or waste tires used
461 for a beneficial use for which reimbursement is sought meet requirements of Subsection

462 [26-32a-107] 19-6-809(4).

463 (2) In addition to any other penalty imposed under Section [26-32a-112.7] 19-6-821 or
464 [26-32a-112.9] 19-6-822 or by any other law, any person who knowingly or intentionally provides
465 false information to the local health department or to the executive secretary under Subsection (1):

466 (a) is ineligible to receive any further reimbursement under this [chapter] part; and

467 (b) shall return to the Division of Finance any reimbursement previously received for
468 deposit in the trust fund.

469 Section 15. Section **19-6-814**, which is renumbered from Section 26-32a-109 is
470 renumbered and amended to read:

471 ~~[26-32a-109]~~. **19-6-814. Local health department responsibility.**

472 (1) A local health department that has received an application for partial reimbursement
473 from a recycler shall within 15 calendar days after receiving the application:

474 (a) review the application for completeness;

475 (b) conduct an on-site investigation of the recycler's waste tire use if the application is the
476 initial application of the recycler; and

477 (c) submit the recycler's application for partial reimbursement together with a brief written
478 report of the results of the investigation and the dollar amount approved for payment to the
479 Division of Finance.

480 (2) If the local health department approves a dollar amount for partial reimbursement
481 which is less than the amount requested by the recycler, the local health department must submit
482 its written report of the investigation and recommendation to the recycler at least five days prior
483 to submitting the report and recommendation to the Division of Finance.

484 Section 16. Section **19-6-815**, which is renumbered from Section 26-32a-110 is
485 renumbered and amended to read:

486 ~~[26-32a-110]~~. **19-6-815. Payment by Division of Finance.**

487 (1) The Division of Finance is authorized to pay the recycler partial reimbursements
488 described in Section [26-32a-107] 19-6-809 from the trust fund.

489 (2) The Division of Finance shall pay the dollar amount of partial reimbursement approved
490 by the local health department or the executive secretary to the recycler within the next payment
491 period established by rule of the Division of Finance, after receipt of the local health department's
492 or the executive secretary's report and recommendation.

493 Section 17. Section **19-6-816**, which is renumbered from Section 26-32a-111 is
494 renumbered and amended to read:

495 ~~[26-32a-111]~~. **19-6-816. Limitations on reimbursement.**

496 (1) The costs reimbursed under this [chapter] part may not exceed the monies in the trust
497 fund.

498 (2) If applications for partial reimbursement during any month exceed the monies in the
499 trust fund, the Division of Finance shall prorate the amount of all claims for partial reimbursement
500 for the month and defer payment of the remainder.

501 (3) The amount remaining unpaid on a claim for partial reimbursement or a claim under
502 Section ~~[26-32a-107.7]~~ 19-6-811 shall be treated as a new application for partial reimbursement
503 in the next succeeding month until the unpaid amount is \$500 or less, at which time the balance
504 of the claim shall be paid in full.

505 Section 18. Section **19-6-817**, which is renumbered from Section 26-32a-111.5 is
506 renumbered and amended to read:

507 ~~[26-32a-111.5]~~. **19-6-817. Administrative fees to local health departments --**
508 **Reporting by local health departments.**

509 (1) (a) The Division of Finance shall pay quarterly to the local health departments from
510 the trust fund \$5 per ton of tires for which a partial reimbursement is made under this [chapter]
511 part.

512 (b) The payment under Subsection (1) shall be allocated among the local health
513 departments in accordance with recommendations of the Utah Association of Local Health
514 Officers.

515 (c) The recommendation shall be based on the efforts expended and the costs incurred by
516 the local health departments in enforcing this [chapter] part and rules made under this [chapter]
517 part.

518 (2) (a) Each local health department shall track all waste tires removed from abandoned
519 waste tire piles within its jurisdiction, to determine the amount of waste tires removed and the
520 recycler to which they are transported.

521 (b) The local health department shall report this information quarterly to the executive
522 secretary.

523 Section 19. Section **19-6-818**, which is renumbered from Section 26-32a-112 is

524 renumbered and amended to read:

525 ~~[26-32a-112]~~. **19-6-818. Local health department rules.**

526 (1) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act:

527 (a) the local health department shall make rules to:

528 (i) develop an application form; and

529 (ii) establish the procedure to apply for reimbursement; and

530 (b) the commission shall make rules to implement this [chapter] part.

531 (2) The local health departments shall take into consideration the removal schedule of tire
532 transporters or recyclers in a geographical area when making rules governing the storage of waste
533 tires at any business that generates waste tires, pending removal of those waste tires for recycling.

534 Section 20. Section **19-6-819**, which is renumbered from Section 26-32a-112.3 is
535 renumbered and amended to read:

536 ~~[26-32a-112.3]~~. **19-6-819. Powers and duties of the board.**

537 (1) The board shall make rules under Title 63, Chapter 46a, Utah Administrative
538 Rulemaking Act, as necessary to administer this [chapter] part. For these purposes the board shall
539 establish by rule:

540 (a) conditions and procedures for acting to issue or revoke a registration as a waste tire
541 recycler or transporter under Section ~~[26-32a-104.5]~~ 19-6-806;

542 (b) the amount of liability insurance or other financial responsibility the applicant is
543 required to have to qualify for registration under Section ~~[26-32a-104.5]~~ 19-6-806, but the amount
544 may not be more than \$300,000 for any liability the waste tire transporter or recycler may incur in
545 recycling or transporting waste tires;

546 (c) the form and amount of financial assurance required for a site or facility used to store
547 waste tires, which shall be sufficient to ensure the cleanup or removal of waste tires from that site
548 or facility;

549 (d) standards and required documentation for tracking and record keeping of waste tires
550 subject to regulation under this [chapter] part, including:

551 (i) manifests for handling and transferring waste tires;

552 (ii) records documenting date, quantities, and size or type of waste tires transported,
553 processed, transferred, or sold;

554 (iii) records documenting persons between whom transactions under this Subsection (1)(d)

555 occurred and the amounts of waste tires involved in those transactions; and

556 (iv) requiring that documentation under this Subsection (1)(d) be submitted on a quarterly
557 basis, and that this documentation be made available for public inspection;

558 (e) authorize inspections and audits of waste tire recycling, transportation, or storage
559 facilities and operations subject to this [chapter] part;

560 (f) standards for payments authorized under Sections [~~26-32a-107~~] 19-6-809,
561 [~~26-32a-107.5~~] 19-6-810, and [~~26-32a-107.7~~] 19-6-811;

562 (g) regarding applications to the executive secretary for reimbursements, the content of the
563 reimbursement application form and the procedure to apply for reimbursement;

564 (h) requirements for the storage of waste tires, including permits for storage;

565 (i) the types of energy recovery or other appropriate environmentally compatible uses
566 eligible for reimbursement, which:

567 (i) shall include pyrolization, but not retreading; and

568 (ii) shall be \$75 for recycling and \$60 for using waste tires for a beneficial use; and

569 (iii) shall apply to all waste tire recycling and beneficial use reimbursements both within
570 and outside of the state;

571 (j) the applications of waste tires that are not eligible for reimbursement;

572 (k) the applications of waste tires that are considered to be the storage or disposal of waste
573 tires; and

574 (l) provisions governing the storage or disposal of waste tires, including the process for
575 issuing permits for waste tire storage sites.

576 (2) The board may:

577 (a) require retention and submission of the records required under this [chapter] part;

578 (b) require audits of the records and record keeping procedures required under this
579 [chapter] part and rules made under this [chapter] part, except that audits of records regarding the
580 fee imposed and collected by the commission under Sections [~~26-32a-104~~] 19-6-805 and
581 [~~26-32a-105~~] 19-6-808 are the responsibility of the commission; and

582 (c) as necessary, make rules requiring additional information as the board determines
583 necessary to effectively administer Section [~~26-32a-107.8~~] 19-6-812, but these rules may not place
584 an undue burden on the operation of landfills.

585 Section 21. Section **19-6-820**, which is renumbered from Section 26-32a-112.5 is

586 renumbered and amended to read:

587 ~~[26-32a-112.5]~~. **19-6-820. Powers and duties of the executive secretary.**

588 (1) The executive secretary shall:

589 (a) administer and enforce the rules and orders of the board;

590 (b) issue and revoke registration for waste tire recyclers and transporters; and

591 (c) require forms, analyses, documents, maps, and other records as the executive secretary

592 finds necessary to:

593 (i) issue recycler and transporter registrations;

594 (ii) issue recycler partial reimbursements;

595 (iii) inspect a site, facility, or activity regulated under this [chapter] part; and

596 (iv) issue permits for and inspect waste tire storage sites.

597 (2) The executive secretary may:

598 (a) authorize any division employee to enter any site or facility regulated under this

599 [chapter] part at reasonable times and upon presentation of credentials, for the purpose of

600 inspection, audit, or sampling:

601 (i) at the site or facility; or

602 (ii) of the records, operations, or products;

603 (b) as authorized by the board, enforce board rules by issuing orders which are

604 subsequently subject to the board's amendment or revocation; and

605 (c) coordinate with federal, state, and local governments, and other agencies, including

606 entering into memoranda of understanding, to:

607 (i) ensure effective regulation of waste tires under this [chapter] part;

608 (ii) minimize duplication of regulation; and

609 (iii) encourage responsible recycling of waste tires.

610 Section 22. Section **19-6-821**, which is renumbered from Section 26-32a-112.7 is

611 renumbered and amended to read:

612 ~~[26-32a-112.7]~~. **19-6-821. Violations -- Civil proceedings and penalties -- Orders.**

613 (1) A person who violates any provision of this [chapter] part or any order, permit, plan

614 approval, or rule issued or adopted under this [chapter] part is subject to a civil penalty of not more

615 than \$10,000 per day for each day of violation as determined in a civil hearing under Title 63,

616 Chapter 46b, Administrative Procedures Act, except:

617 (a) any violation of Subsection ~~[26-32a-103.5]~~ 19-6-804(1) or (3), regarding landfills, is
618 subject to the penalty under Subsection ~~[26-32a-103.5]~~ 19-6-804(4) rather than the penalties under
619 this section; and

620 (b) any violation of Subsection ~~[26-32a-106]~~ 19-6-808(1), (2), or (3) regarding payment
621 of the recycling fee by the tire retailer is subject to penalties as provided in Subsection
622 ~~[26-32a-106]~~ 19-6-808(4) rather than the penalties under this section.

623 (2) The board may bring an action in the name of the state to restrain a person from
624 continuing a violation of this ~~[chapter]~~ part and to require the person to perform necessary
625 remediation regarding a violation of this ~~[chapter]~~ part.

626 (3) When the executive secretary finds a situation exists in violation of this ~~[chapter]~~ part
627 that presents an immediate threat to the public health or welfare, the executive secretary may issue
628 an emergency order under Title 63, Chapter 46b, Administrative Procedures Act.

629 (4) The executive secretary may revoke the registration of a waste tire recycler or
630 transporter who violates any provision of this ~~[chapter]~~ part or any order, plan approval, permit,
631 or rule issued or adopted under this ~~[chapter]~~ part.

632 (5) The executive secretary may revoke the tire storage permit for a storage facility that
633 is in violation of any provision of this ~~[chapter]~~ part or any order, plan approval, permit, or rule
634 issued or adopted under this ~~[chapter]~~ part.

635 (6) If a person has been convicted of violating a provision of this ~~[chapter]~~ part prior to
636 a finding by the executive secretary of a violation of the same provision in an administrative
637 hearing, the executive secretary may not assess a civil monetary penalty under this section for the
638 same offense for which the conviction was obtained.

639 (7) All penalties collected under this section shall be deposited in the trust fund.

640 Section 23. Section **19-6-822**, which is renumbered from Section 26-32a-112.9 is
641 renumbered and amended to read:

642 ~~[26-32a-112.9].~~ **19-6-822. Criminal penalties.**

643 A knowing violation of any applicable provision of this ~~[chapter]~~ part is a third degree
644 felony, except that any violation:

645 (1) involving hazardous waste is governed by Title 19, Chapter 6, ~~[Hazardous Substances]~~
646 Part 1, Solid and Hazardous Waste Act;

647 (2) of Subsection ~~[26-32a-103.5]~~ 19-6-804(1) or (3) is subject only to the civil penalties

648 in Subsection [] 19-6-804

649 (3) of Subsection [] 19-6-808

650 Subsection [] 19-6-808

651 Section 24. Section , which is renumbered from Section 26-32a-113 is

652

653 []. **Exception.**

The provisions of this [chapter part] do not apply to waste tires from any device moved exclusively by human power.

656 **19-6-824**, which is renumbered from Section 26-32a-114 is

renumbered and amended to read:

658 **26-32a-114]. 19-6-824.**

659 **industries.**

(1) As used in this section:

661

(b) "Board" means the Board of Business and Economic Development.

662

(c) "Enterprise fund" means the Waste Tire Recycling Industrial Assistance Loan Fund

664

(2) There is created in this section the Waste Tire Recycling Industrial Assistance Loan Program. The purpose of the program is to promote waste tire recycling industries in Utah and

667

(3) (a) There is created an enterprise fund known as the Waste Tire Recycling Industrial Assistance Loan Fund.

670

671 program created in this section.

(c) \$1,000,000 shall be transferred from the trust fund to the enterprise fund to carry out

673

(d) Interest accrued from monies in the enterprise fund and from loans made from the enterprise fund shall remain in the enterprise fund.

676

677 enterprise fund to waste tire recyclers to promote waste tire recycling industries in Utah and reduce the waste tire piles in Utah.

679 (b) The administrator shall carry out his duties under this section under the direction of the
680 board.

681 (c) The Division of Finance shall account for and track all outstanding loans under this
682 section.

683 (5) (a) As possible, the administrator shall use existing staff and resources available to the
684 Industrial Assistance Fund to carry out the administration of this section.

685 (b) (i) Administrative costs not addressed by Subsection (5)(a) shall be covered by an
686 annual amount transferred from the enterprise fund to the administrator, to be applied to the pro
687 rata portion of the administrator's costs of administering Title 9, Chapter 2, Part 12, Industrial
688 Assistance Fund, incurred by management of the enterprise fund.

689 (ii) The administrator shall annually submit the proposed amount to the board, and the
690 board shall approve the amount prior to transfer from the fund to the administrator.

691 (6) Loans under this section shall meet the following requirements:

692 (a) the loans shall be made in accordance with the provisions of this section and in
693 accordance with Title 9, Chapter 2, Part 12, Industrial Assistance Fund, except as those provisions
694 are modified by this section;

695 (b) a loan made to any individual or entity may not be for more than \$250,000, unless the
696 administrator submits to the board a specific and detailed written justification for the greater loan
697 amount, and the board approves in writing the justification;

698 (c) the administrator may not loan the entire \$1,000,000 to one recycler; and

699 (d) loan terms shall be consistent with Division of Finance requirements so the loans may
700 be maintained on an existing loan tracking system within the Division of Finance.

701 (7) The administrator shall establish standards and qualifications for loan recipients that:

702 (a) take into account the nature of the emerging technology, industries, and products in the
703 field of waste tire recycling;

704 (b) where possible, take into account the loan recipient's capacity to reduce waste tire piles;
705 and

706 (c) require each loan recipient as a condition of the loan to recycle a specified minimum
707 amount of waste tires from abandoned waste tire piles, as the administrator determines is
708 appropriate to the capacities of the recycler and the proximity of the recycler to abandoned waste
709 tire piles.

710 (8) Loans made under this section shall be made in compliance with the provisions of Title
711 9, Chapter 2, Part 12, Industrial Assistance Fund, except:

712 (a) the administrator shall ensure the loan recipient has adequate collateral or other form
713 of security to protect the enterprise fund;

714 (b) the applicant is not required to meet the requirement of Subsection 9-2-1205 (1)(a)
715 which addresses the minimum ratio of expenditures;

716 (c) the applicant is not required to meet the requirement of Subsection 9-2-1205(1)(b),
717 which addresses the ability to expend at least \$10,000,000 annually over the base level;

718 (d) all loan repayments shall be in cash, and credits in lieu of cash repayments may not be
719 allowed; and

720 (e) interest rates on loans made under this section may not be more than 3%, and may be
721 zero percent, as the administrator determines most effectively promotes the purposes of this
722 section.

723 (9) Loan repayments under this section shall be deposited in the enterprise fund, except
724 as provided in Subsection (10).

725 (10) (a) If this section is repealed, the assets and liabilities in the enterprise fund on the
726 repeal date shall be transferred to the trust fund.

727 (b) Subsequent loan repayments shall be deposited in the trust fund, except the amount
728 withheld under Subsection (10)(c).

729 (c) The administrator shall administer the collection of loans outstanding on the repeal
730 date, and may withhold a reasonable pro rata percentage of the loan payments made after the repeal
731 date as necessary to cover the costs of administering the loan collections after the repeal date. The
732 pro rata amount under this Subsection (10)(c) shall be based on general collection practices, and
733 shall take into account the size of the loan, duration of the loan, and actions necessary to collect
734 the loan.

735 Section 26. Section **63-55-219** is amended to read:

736 **63-55-219. Repeal dates, Title 19.**

737 (1) Title 19, Chapter 2, Air Conservation Act, is repealed July 1, 2009.

738 (2) Title 19, Chapter 3, Radiation Control Act, is repealed July 1, 2002.

739 (3) Title 19, Chapter 4, Safe Drinking Water Act, is repealed July 1, 2009.

740 (4) Title 19, Chapter 5, Water Quality Act, is repealed July 1, 2009.

- 741 (5) Title 19, Chapter 6, Part 1, Solid and Hazardous Waste Act, is repealed July 1, 2009.
- 742 (6) Title 19, Chapter 6, Part 3, Hazardous Substances Mitigation Act, is repealed July 1,
- 743 2000.
- 744 (7) Title 19, Chapter 6, Part 4, Underground Storage Tank Act, is repealed July 1, 2008.
- 745 (8) Title 19, Chapter 6, Part 6, Lead Acid Battery Disposal, is repealed July 1, 2001.
- 746 (9) Title 19, Chapter 6, Part 7, Used Oil Management Act, is repealed July 1, 2009.
- 747 (10) Title 19, Chapter 6, Part 8, Waste Tire Recycling Act, is repealed July 1, 2005.
- 748 Section 27. Section ~~63-55-226~~ is amended to read:
- 749 **63-55-226. Repeal dates, Title 26.**
- 750 (1) Title 26, Chapter 1, Department of Health Organization, is repealed July 1, 2001.
- 751 (2) Title 26, Chapter 4, Utah Medical Examiner Act, is repealed July 1, 2000.
- 752 (3) Title 26, Chapter 10, Family Health Services, is repealed July 1, 2000.
- 753 (4) Title 26, Chapter 18, Medical Assistance Act, is repealed July 1, 2004.
- 754 [~~(5) Title 26, Chapter 32a, Waste Tire Recycling Act, is repealed July 1, 2000.~~]
- 755 [~~(6)~~ (5) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1, 2004.
- 756 [~~(7) Section 26-32a-114 is repealed July 1, 2000.~~]

Legislative Review Note
as of 1-7-00 8:45 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel