

H.B. 72
WASTE TIRE AMENDMENTS

Representative **Neal B. Hendrickson** proposes the following amendments:

1. *Page 1, Lines 12 through 15:*

12 This bill:

13 { ~~→~~ **→ modifies the definition of "waste tire";** }

14 { ~~→~~ **→ prohibits a tire retailer from transferring ownership of a waste tire to anyone other**

15 **than a waste tire transporter or a person who purchases it for the person's own use;** }

2. *Page 1, Lines 26 through 27:*

26 AMENDS:

27 { ~~19-6-803, as last amended by Laws of Utah 2008, Chapter 382~~ }

3. *Page 2 through Page 6, Lines 38 through 153:* Delete lines 38 through 153.

Renumber remaining sections accordingly.

4. *Page 6, Lines 171 through 179:*

171 Section 19-6-812.

172 { ~~(4) A tire retailer may only transfer ownership of a waste tire described in Subsection~~

173 ~~19-6-803(28)(b) to:~~

174 ~~— (a) a person who purchases it for the person's own use and not for resale; or~~

175 ~~— (b) a waste tire transporter that is registered in accordance with Section 19-6-806. }~~

176 {+} (4) {+} {~~(5)~~} (a) An individual, including a waste tire transporter, violating this
section is

177 subject to enforcement proceedings and a civil penalty of not more than \$100 per waste tire or

178 per passenger tire equivalent disposed of in violation of this section. A warning notice may be

179 issued prior to taking further enforcement action under this Subsection {+} (4) {+} {~~(5)~~} .

5. *Page 9, Lines 266 through 273:*

266 19-6-821. Violations -- Civil proceedings and penalties -- Orders.

267 (1) A person who violates any provision of this part or any order, permit, plan

268 approval, or rule issued or adopted under this part is subject to a civil penalty of not more than

269 \$10,000 per day for each day of violation as determined in a civil hearing under Title 63G,
270 Chapter 4, Administrative Procedures Act, except:
271 (a) any violation of Subsection 19-6-804(1) {+} or {+} {~~5~~} (3) {~~, or (4)~~} [regarding
landfills,] is
272 subject to the penalty under Subsection 19-6-804 {+} (4) {+} {~~(5)~~} rather than the penalties under
this
273 section; and