

1                   A bill to be entitled  
2           An act relating to solid waste management;  
3           authorizing the Department of Environmental  
4           Protection to use trust fund moneys as grants  
5           to Florida-based businesses that recycle  
6           lead-acid batteries and other lead-containing  
7           materials; directing the department to work  
8           with the Department of Management Services to  
9           implement a pilot program to collect  
10          lead-containing products; providing an  
11          appropriation; amending s. 403.717, F.S.;  
12          amending definitions; providing an effective  
13          date.

14

15 Be It Enacted by the Legislature of the State of Florida:

16

17           Section 1. The Legislature recognizes a need for  
18 providing a capability within the state for responding to the  
19 reuse, recycling, and proper management of waste products  
20 generated by users of lead-containing products within the  
21 state.

22

23           Section 2. The Department of Environmental Protection  
24 is authorized to use funds from the Solid Waste Management  
25 Trust Fund as grants to Florida-based businesses that recycle  
26 lead-acid batteries and other lead-containing materials,  
27 including products such as televisions and computer monitors  
28 that utilize lead-containing cathode ray tubes. This incentive  
29 funding may be used for research and development in methods to  
30 recover and recycle lead from the environment; for innovative  
31 technologies and equipment to process and recycle  
lead-containing materials; and for establishing an

1 infrastructure to collect and transport lead-containing  
2 material to Florida-based recycling businesses.

3           Section 3. The Department of Environmental Protection  
4 is directed to work with the Department of Management Services  
5 to implement a pilot program to collect lead-containing  
6 products, including end-of-life computers and other electronic  
7 equipment from state and local agencies. Local governments are  
8 encouraged to establish collection and recycling programs for  
9 publicly and privately owned lead-containing products,  
10 including end-of-life televisions, computers, and other  
11 electronic products through existing recycling and household  
12 hazardous-waste-management programs.

13           Section 4. Subject to the availability of funds, up to  
14 \$400,000 is appropriated from the Solid Waste Management Trust  
15 Fund to the Department of Environmental Protection for Fiscal  
16 Year 1999-2000 to fund the grants authorized by this act. The  
17 department is authorized to request annual funding for these  
18 grants through the Fiscal Year 2004-2005.

19           Section 5. Subsections (1) and (5) of section 403.717,  
20 Florida Statutes, are amended to read:

21           403.717 Waste tire and lead-acid battery  
22 requirements.--

23           (1) For purposes of this section and ss. 403.718,  
24 403.7185, and 403.719:

25           (a) "Department" means the Department of Environmental  
26 Protection.

27           (b) "Motor vehicle" means an automobile, motorcycle,  
28 truck, trailer, semitrailer, truck tractor and semitrailer  
29 combination, or any other vehicle operated in this state, used  
30 to transport persons or property and propelled by power other  
31 than muscular power, but the term does not include traction

1 engines, road rollers, such vehicles as run only upon a track,  
2 bicycles, mopeds, or farm tractors and trailers.

3 (c) "Tire" means a continuous solid or pneumatic  
4 rubber covering encircling the wheel of a motor vehicle.

5 (d) "Waste tire" means a tire that has been removed  
6 from a motor vehicle and has not been retreaded or regrooved.  
7 "Waste tire" includes, but is not limited to, used tires and  
8 processed tires.

9 (e) "Waste tire collection center" means a site where  
10 waste tires are collected from the public prior to being  
11 offered for recycling and where fewer than 1,500 ~~1,000~~ tires  
12 are kept on the site on any given day.

13 (f) "Waste tire processing facility" means a site  
14 where equipment is used to recapture reusable byproducts from  
15 waste tires or to cut, burn, or otherwise alter waste tires so  
16 that they are no longer whole. The term includes mobile waste  
17 tire processing equipment.

18 (g) "Waste tire site" means a site at which 1,500  
19 ~~1,000~~ or more waste tires are accumulated.

20 (h) "Lead-acid battery" means those lead-acid  
21 batteries designed for use in motor vehicles, vessels, and  
22 aircraft, and includes such batteries when sold as a component  
23 part of a motor vehicle, vessel, or aircraft, but not when  
24 sold to recycle components.

25 (i) "Indoor" means within a structure which excludes  
26 rain and public access and would control air flows in the  
27 event of a fire.

28 (j) "Processed tire" means a tire that has been  
29 treated mechanically, chemically, or thermally so that the  
30 resulting material is a marketable product or is suitable for  
31 proper disposal.

1 (k) "Used tire" means a waste tire which has a minimum  
2 tread depth of 3/32 inch or greater and is suitable for use  
3 on a motor vehicle.

4 (5) A permit is not required for tire storage at:

5 (a) A tire retreading business where fewer than 1,500  
6 ~~1,000~~ waste tires are kept on the business premises;

7 (b) A business that, in the ordinary course of  
8 business, removes tires from motor vehicles if fewer than  
9 1,500 ~~1,000~~ of these tires are kept on the business premises;

10 or

11 (c) A retail tire-selling business which is serving as  
12 a waste tire collection center if fewer than 1,500 ~~1,000~~ waste  
13 tires are kept on the business premises.

14 Section 6. This act shall take effect July 1, 1999.