

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

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

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

20 403.717 Waste tire and lead-acid battery
21 requirements.--

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

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

26 (b) "Motor vehicle" means an automobile, motorcycle,
27 truck, trailer, semitrailer, truck tractor and semitrailer
28 combination, or any other vehicle operated in this state, used
29 to transport persons or property and propelled by power other
30 than muscular power, but the term does not include traction
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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 2. The Legislature recognizes a need for
15 providing a capability within the state for responding to the
16 reuse, recycling, and proper management of waste products
17 generated by users of lead-containing products within the
18 state.

19 Section 3. The Department of Environmental Protection
20 is hereby authorized to use funds from the Solid Waste
21 Management Trust Fund as grants to Florida-based businesses
22 that recycle lead-acid batteries and other lead-containing
23 materials, including products such as televisions and computer
24 monitors which utilize lead containing cathode ray tubes.
25 This incentive funding may be used for research and
26 development in methods to recover and recycle lead from the
27 environment; for innovative technologies and equipment to
28 process and recycle lead-containing materials; and for
29 establishing an infrastructure to collect and transport
30 lead-containing material to Florida based recycling
31 businesses.

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

11 Section 5. The sum of \$400,000 is hereby appropriated
12 from the Solid Waste Management Trust Fund to the Department
13 of Environmental Protection for fiscal year 1999-2000 to fund
14 the grants authorized by this act. The department is
15 authorized to request annual funding for these grants through
16 the fiscal year 2004-2005.

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