

Committee Substitute for Senate Bill No. 1434

An act relating to solid waste management; authorizing the Department of Environmental Protection to use trust fund moneys as grants to Florida-based businesses that recycle lead-acid batteries and other lead-containing materials; directing the department to work with the Department of Management Services to implement a pilot program to collect lead-containing products; providing an appropriation; amending s. 403.717, F.S.; amending definitions; providing an effective date.

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

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

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

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

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

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

403.717 Waste tire and lead-acid battery requirements.—

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

(a) “Department” means the Department of Environmental Protection.

(b) “Motor vehicle” means an automobile, motorcycle, truck, trailer, semi-trailer, truck tractor and semitrailer combination, or any other vehicle operated in this state, used to transport persons or property and propelled by power other than muscular power, but the term does not include traction engines, road rollers, such vehicles as run only upon a track, bicycles, mopeds, or farm tractors and trailers.

(c) “Tire” means a continuous solid or pneumatic rubber covering encircling the wheel of a motor vehicle.

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

(e) “Waste tire collection center” means a site where waste tires are collected from the public prior to being offered for recycling and where fewer than 1,500 ~~4,000~~ tires are kept on the site on any given day.

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

(g) “Waste tire site” means a site at which 1,500 ~~4,000~~ or more waste tires are accumulated.

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

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

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

(k) “Used tire” means a waste tire which has a minimum tread depth of $\frac{3}{32}$ inch or greater and is suitable for use on a motor vehicle.

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

(a) A tire retreading business where fewer than 1,500 ~~4,000~~ waste tires are kept on the business premises;

(b) A business that, in the ordinary course of business, removes tires from motor vehicles if fewer than 1,500 ~~4,000~~ of these tires are kept on the business premises; or

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

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

Approved by the Governor May 26, 1999.

Filed in Office Secretary of State May 26, 1999.