
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2236 Session of
1998

INTRODUCED BY MUNDY, ARGALL, GEORGE, JAROLIN, THOMAS, FICHTER,
SHANER, COY, BATTISTO, DALEY, OLASZ, TANGRETTI, WOGAN,
RUBLEY, CARONE, YOUNGBLOOD, MANDERINO, STEELMAN, JOSEPHS,
CORPORA, C. WILLIAMS, WOJNAROSKI, SATHER, LAUGHLIN, MELIO,
SAINATO AND ITKIN, FEBRUARY 10, 1998

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
FEBRUARY 10, 1998

AN ACT

1 Providing for transportation of waste tires, permits, bonds and
2 penalties.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Waste Tire
7 Transport Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall
10 have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 "Department." The Department of Environmental Protection of
13 the Commonwealth.

14 "Person." Any individual, partnership, corporation,
15 association, institution, cooperative enterprise, municipal
16 authority, Federal Government or agency, State institution and

1 agency, including, but not limited to, the Department of General
2 Services and the State Public School Building Authority, or any
3 other legal entity whatsoever which is recognized by law as the
4 subject of rights and duties. In any provisions of this act
5 prescribing a fine, imprisonment or penalty or any combination
6 of the foregoing, the term shall include the officers and
7 directors of any corporation or other legal entity having
8 officers or directors.

9 "Transporter." Any person who transports whole waste tires
10 for profit or monetary compensation in this Commonwealth.

11 "Waste tire." A tire that will no longer be used for the
12 purpose for which it was intended.

13 Section 3. Transportation of waste tires.

14 It shall be unlawful for any person to transport or permit
15 the transportation of any whole waste tires:

16 (1) To any processing or disposal facility within this
17 Commonwealth unless such facility holds a permit issued by
18 the department to accept such waste.

19 (2) To any site where such waste tires are stored or
20 stockpiled for a period exceeding 30 days unless a facility
21 which holds a permit issued by the department to accept such
22 waste is located on the site.

23 (3) Without the permit for transportation of waste tires
24 required under this act.

25 Section 4. Permit, registry and toll-free number.

26 (a) Permit.--No person shall transport waste tires for
27 profit or monetary compensation in this Commonwealth unless
28 the person has first obtained a permit for transporting waste
29 tires from the department. The department shall require the
30 following information on the permit application:

1 (1) The name, address and telephone number of the
2 applicant.

3 (2) The county or counties in which the applicant
4 intends to operate.

5 (3) Prospective clients with whom the applicant intends
6 to conduct business and facilities to which the transporter
7 intends to haul the waste tires.

8 (4) Any other such information the department deems
9 necessary and appropriate.

10 (b) Expiration.--Each permit issued by the department shall
11 expire one year after the date the permit was issued. The
12 department may reissue a permit to a transporter after the date
13 of expiration. The department may require an update of the
14 information required under subsection (a) and any other
15 information it deems necessary on the renewal application. The
16 department may not reissue a permit to a transporter who has
17 violated this act.

18 (c) Fee.--The department shall establish a reasonable fee
19 which shall be assessed upon issuance or reissuance of a permit
20 under this section.

21 (d) Registry.--The department shall establish and maintain a
22 registry of waste tire transporters in this Commonwealth. The
23 registry shall include the information required for issuance of
24 a permit under this section and any other relevant information
25 as the department deems necessary and appropriate. The
26 information in the registry shall be a matter of public record
27 and shall be made readily available to any person upon request.

28 (e) Toll-free number.--The department shall establish and
29 maintain a 1-800 toll-free number which any person in the
30 Commonwealth may call to request information contained in the

1 registry established under subsection (d). Any person suspecting
2 a violation of this act may also call this 1-800 toll-free
3 number to report a suspected violation to the department.

4 Section 5. Bonds.

5 A transporter of waste tires for which a permit is required
6 under this act shall file with the department a bond for the
7 transport of waste tires. The bond shall be payable to the
8 Commonwealth. The department shall establish regulations
9 prescribing the amount, terms and conditions of a bond.

10 Section 6. Penalties.

11 Any person who provides waste tires to a transporter who does
12 not have the permit required under this act commits a summary
13 offense and shall, upon conviction, be sentenced to pay a fine
14 of not less than \$500 nor more than \$5,000 per violation or be
15 subject to imprisonment of not more than 60 days or both.

16 Section 7. Effective date.

17 This act shall take effect in 90 days.