

Chapter 385

(House Bill 66)

AN ACT concerning

Environment – Lead and Mercury Wheel Weights – Prohibited

FOR the purpose of prohibiting certain persons from using, allowing to be used, or selling certain lead or mercury wheel weights after ~~certain dates~~ a certain date; requiring the State to ensure that no vehicle ~~is~~ purchased for the State fleet after a certain date is equipped with certain lead or mercury wheel weights ~~after a certain date~~; prohibiting a tire on a vehicle in the State fleet that is balanced or replaced after a certain date from being equipped with certain lead or mercury wheel weights; requiring lead and mercury wheel weights removed and collected to be properly recycled; providing for the enforcement of this Act, including the required issuance of a warning for an initial violation; and generally relating to the prohibition against the use or sale of lead or mercury wheel weights in the State.

BY adding to

Article – Environment

Section 6–501 to be under the new subtitle “Subtitle 5. Lead and Mercury Wheel Weights”

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Environment

SUBTITLE 5. LEAD AND MERCURY WHEEL WEIGHTS.

6–501.

(A) (1) A MOTOR VEHICLE OR TIRE MANUFACTURER, WHOLESALER, OR RETAILER, MOTOR VEHICLE REPAIR FACILITY, OR ANY OTHER PERSON WHO INSTALLS WHEEL WEIGHTS MAY NOT USE, ALLOW TO BE USED, OR SELL AN EXTERNALLY ATTACHED LEAD WHEEL WEIGHT THAT IS COMPOSED OF GREATER THAN 0.1% LEAD BY WEIGHT OR GREATER THAN 0.1% MERCURY BY WEIGHT DURING THE FIRST TIRE INSTALLATION, REPLACEMENT, OR BALANCING AFTER:

(i) ~~JANUARY 1, 2019, FOR ALL USED VEHICLES REGISTERED IN THE STATE; AND~~

~~(H)~~ JANUARY 1, 2020, FOR ALL NEW AND USED VEHICLES REGISTERED IN THE STATE.

(2) THE STATE SHALL ENSURE THAT NO VEHICLE ~~IN~~ PURCHASED FOR THE STATE FLEET AFTER JANUARY 1, 2019, IS EQUIPPED WITH AN EXTERNALLY ATTACHED LEAD WHEEL WEIGHT THAT IS COMPOSED OF GREATER THAN 0.1% LEAD BY WEIGHT OR GREATER THAN 0.1% MERCURY BY WEIGHT ~~AFTER JANUARY 1, 2019~~.

(3) EACH TIRE ON A VEHICLE IN THE STATE FLEET THAT IS BALANCED OR REPLACED AFTER JANUARY 1, 2018, MAY NOT BE EQUIPPED WITH A LEAD WHEEL WEIGHT THAT IS COMPOSED OF GREATER THAN 0.1% LEAD BY WEIGHT OR GREATER THAN 0.1% MERCURY BY WEIGHT.

(B) LEAD AND MERCURY WHEEL WEIGHTS REMOVED AND COLLECTED SHALL BE PROPERLY RECYCLED.

(C) (1) THE DEPARTMENT SHALL SEND A WARNING NOTICE TO A PERSON THAT VIOLATES THIS SECTION.

(2) IF THE PERSON CONTINUES TO FAIL TO COMPLY WITH THIS SECTION 1 YEAR AFTER RECEIPT OF THE WARNING NOTICE, THE PERSON IS SUBJECT TO A CIVIL FINE NOT EXCEEDING \$1,000 FOR EACH SUBSEQUENT OFFENSE AFTER THE WARNING PERIOD.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

Approved by the Governor, May 4, 2017.