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By: **Delegates Morhaim and Bobo**  
Introduced and read first time: January 16, 2004  
Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2                                   **Environment - Cathode Ray Tubes and Computer Products - Collection**  
3                                   **Systems**

4 FOR the purpose of prohibiting a manufacturer from selling, using, distributing, or  
5 offering to sell a computer product or a cathode ray tube after a certain date  
6 unless the manufacturer implements a certain collection system plan; requiring  
7 a collection system plan to include certain elements; requiring a manufacturer  
8 to submit a certain report to the Department within a certain period of time;  
9 authorizing the Department to order manufacturers to take certain actions  
10 under certain circumstances; requiring the Department to adopt certain  
11 regulations; authorizing the Department to adopt certain regulations; defining  
12 certain terms; and generally relating to computer product and cathode ray tube  
13 collection systems.

14 BY adding to  
15 Article - Environment  
16 Section 6-1201 through 6-1204 to be under the new subtitle "Subtitle 12.  
17 Cathode Ray Tubes and Computer Products Collection Systems"  
18 Annotated Code of Maryland  
19 (1996 Replacement Volume and 2003 Supplement)

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

22                                   **Article - Environment**

23                                   **SUBTITLE 12. CATHODE RAY TUBES AND COMPUTER PRODUCTS COLLECTION**  
24                                   **SYSTEMS.**

25 6-1201.

26 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
27 INDICATED.

1 (B) "CATHODE RAY TUBE" MEANS A VACUUM TUBE OR PICTURE TUBE USED  
2 TO CONVERT AN ELECTRONIC SIGNAL INTO A VISUAL IMAGE.

3 (C) "COLLECTION SYSTEM" MEANS THE COLLECTION, PACKAGING,  
4 TRANSPORTATION, AND RECYCLING OF COMPUTER PRODUCTS AND CATHODE RAY  
5 TUBES THAT HAVE BEEN DISCARDED BY CONSUMERS.

6 (D) "COMPUTER PERIPHERAL" MEANS A COMPUTER KEYBOARD, MOUSE OR  
7 OTHER POINTING DEVICE, AND PRINTER.

8 (E) "COMPUTER PRODUCT" MEANS:

9 (1) A DESKTOP COMPUTER, PERSONAL COMPUTER, LAPTOP COMPUTER,  
10 OR OTHER PIECE OF AUTOMATED OR ELECTRONIC EQUIPMENT THAT INCLUDES A  
11 CENTRAL PROCESSING UNIT; AND

12 (2) COMPUTER PERIPHERALS.

13 (F) "DIVERSION RATE" MEANS THE PROPORTION OF WASTE MATERIAL THAT  
14 IS RECYCLED, COMPOSTED, OR REUSED RATHER THAN SENT TO A LANDFILL OR  
15 INCINERATOR.

16 (G) "MANUFACTURER" MEANS THE CORPORATION OR OTHER LEGAL ENTITY  
17 THAT IS THE BRAND OWNER OR IMPORTER OF A CATHODE RAY TUBE OR COMPUTER  
18 PRODUCT SOLD OR USED IN THE STATE.

19 6-1202.

20 ON OR AFTER JULY 1, 2005, A MANUFACTURER MAY NOT SELL, USE,  
21 DISTRIBUTE, OR OFFER TO SELL A COMPUTER PRODUCT OR CATHODE RAY TUBE IN  
22 THE STATE UNLESS THE MANUFACTURER IMPLEMENTS A COLLECTION SYSTEM  
23 PLAN APPROVED BY THE DEPARTMENT UNDER THIS SUBTITLE.

24 6-1203.

25 (A) THE COLLECTION SYSTEM PLAN REQUIRED UNDER § 6-1202 OF THIS  
26 SUBTITLE:

27 (1) SHALL BE CONVENIENT AND ACCESSIBLE FOR CONSUMERS WHO  
28 WANT TO DISPOSE OF A COMPUTER PRODUCT OR CATHODE RAY TUBE;

29 (2) SHALL PROVIDE FOR THE COLLECTION OF COMPUTER PRODUCTS  
30 AND CATHODE RAY TUBES; AND

31 (3) MAY NOT IMPOSE ANY COST ON A COUNTY, MUNICIPAL  
32 CORPORATION, OR THE STATE.

33 (B) IF A CATHODE RAY TUBE IS A COMPONENT OF ANOTHER PRODUCT, THE  
34 COLLECTION SYSTEM PLAN MAY SATISFY SUBSECTION (A)(2) OF THIS SECTION BY  
35 PROVIDING FOR THE:

1 (1) REMOVAL AND COLLECTION OF THE CATHODE RAY TUBE; OR

2 (2) COLLECTION OF THE CATHODE RAY TUBE AND THE PRODUCT  
3 CONTAINING IT.

4 (C) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, THE  
5 COLLECTION SYSTEM PLAN SHALL INCLUDE:

6 (1) A PUBLIC EDUCATION PROGRAM TO INFORM THE PUBLIC ABOUT  
7 THE PURPOSE OF THE COLLECTION PROGRAM AND HOW TO PARTICIPATE IN IT;

8 (2) A PLAN FINANCING THE COLLECTION SYSTEM;

9 (3) DOCUMENTATION OF THE WILLINGNESS OF ALL NECESSARY  
10 PARTIES TO IMPLEMENT THE COLLECTION SYSTEM;

11 (4) (I) A DESCRIPTION OF THE EXISTING COLLECTION AND  
12 RECYCLING INFRASTRUCTURE IN THE STATE THAT WILL BE INCORPORATED INTO  
13 THE COLLECTION SYSTEM; OR

14 (II) AN EXPLANATION FOR NOT INCORPORATING EXISTING  
15 COLLECTION AND RECYCLING INFRASTRUCTURE IN THE STATE;

16 (5) A DESCRIPTION OF THE PERFORMANCE MEASURES THE  
17 MANUFACTURER WILL USE TO DEMONSTRATE THE DIVERSION RATE OF THE  
18 COLLECTION SYSTEM AND ANY OTHER MEASURES OF PROGRAM EFFECTIVENESS  
19 REQUIRED BY THE DEPARTMENT;

20 (6) PROVISIONS TO COLLECT COMPUTER PRODUCTS AND CATHODE RAY  
21 TUBES DISCARDED BY CONSUMERS IN THE STATE AFTER JULY 1, 2005, INCLUDING  
22 THOSE PRODUCED BY MANUFACTURERS WHO LEFT THE MARKET BEFORE THEIR  
23 PRODUCTS WERE DISCARDED;

24 (7) A DESCRIPTION OF ADDITIONAL OR ALTERNATIVE ACTIONS THAT  
25 THE MANUFACTURER WILL IMPLEMENT TO IMPROVE THE COLLECTION SYSTEM IF  
26 THE PROGRAM TARGETS ESTABLISHED BY THE DEPARTMENT ARE NOT MET;

27 (8) AN IMPLEMENTATION PLAN TO ENSURE THAT THE COLLECTION  
28 SYSTEM WILL BE FULLY IMPLEMENTED ON OR BEFORE JULY 1, 2005; AND

29 (9) ANY OTHER INFORMATION REQUESTED BY THE DEPARTMENT.

30 (D) INSTEAD OF THE ITEMS REQUIRED UNDER SUBSECTION (C) OF THIS  
31 SECTION, A MANUFACTURER MAY SUBMIT A COLLECTION SYSTEM PLAN THAT  
32 INCLUDES:

33 (1) A CERTIFICATION FROM THE MANUFACTURER TO THE DEPARTMENT  
34 THAT:

1 (I) THERE WILL BE A NATIONAL COLLECTION SYSTEM FOR  
2 COMPUTER PRODUCTS AND CATHODE RAY TUBES FULLY IMPLEMENTED IN THE  
3 STATE BY JULY 1, 2005; AND

4 (II) THE MANUFACTURER WILL PARTICIPATE IN THE NATIONAL  
5 COLLECTION SYSTEM; AND

6 (2) ANY OTHER INFORMATION REQUESTED BY THE DEPARTMENT.

7 (E) THE DEPARTMENT SHALL ADOPT REGULATIONS FOR THE REVIEW AND  
8 APPROVAL OF A COLLECTION SYSTEM PLAN.

9 6-1204.

10 (A) (1) WITHIN 2 YEARS AFTER THE DEPARTMENT APPROVES A  
11 COLLECTION PLAN UNDER THIS SUBTITLE, THE MANUFACTURER SHALL SUBMIT A  
12 REPORT TO THE DEPARTMENT ON THE EFFECTIVENESS OF THE COLLECTION  
13 SYSTEM.

14 (2) THE REPORT SHALL INCLUDE:

15 (I) AN ESTIMATE OF THE TOTAL NUMBER OF CATHODE RAY TUBES  
16 AND COMPUTER PRODUCTS THAT HAVE BEEN COLLECTED THROUGH THE  
17 COLLECTION SYSTEM;

18 (II) THE DIVERSION RATE FOR THE CATHODE RAY TUBES AND  
19 COMPUTER PRODUCTS;

20 (III) THE RESULTS OF ANY OTHER PERFORMANCE MEASURES  
21 INCLUDED IN THE COLLECTION SYSTEM PLAN; AND

22 (IV) ANY OTHER INFORMATION REQUIRED BY THE DEPARTMENT.

23 (B) IF THE DEPARTMENT DETERMINES THAT A MANUFACTURER IS NOT  
24 MEETING THE PERFORMANCE STANDARDS REQUIRED BY THE DEPARTMENT, THE  
25 DEPARTMENT MAY ORDER THE MANUFACTURER TO TAKE ACTIONS NECESSARY TO  
26 ACHIEVE THE PERFORMANCE STANDARDS.

27 (C) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THE  
28 PROVISIONS OF THIS SUBTITLE.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
30 July 1, 2004.