

HB0077/274430/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 77
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Driveway Sealers” and substitute “Coal Tar Sealant Products”; in line 5, after “of” insert “prohibiting a county, municipality, or unit of local government from adopting any ordinance, rule, or regulation related to coal tar sealant products that are less stringent than the requirements of this Act; providing that this Act does not affect the authority of a county, municipality, or unit of local government to enact and enforce standards or requirements related to coal tar sealant products that are more stringent than the requirements of this Act;”; in line 6, after “selling,” insert “or”; in the same line, strike “, or manufacturing”; in line 7, strike “high-PAH driveway sealer” and substitute “coal tar sealant product”; strike beginning with “high-PAH” in line 8 down through “sealer” in line 9 and substitute “coal tar sealant product”; in line 9, strike “pavement” and substitute “a driveway or parking area”; in line 12, in each instance, strike “driveway sealer” and substitute “coal tar sealant product”; in line 14, strike “driveway sealer” and substitute “coal tar sealant product”; in lines 7, 12, and 15, in each instance, strike “use” and substitute “application to a driveway or parking area”; in line 20, after “terms;” insert “providing for the application of this Act;”; and in line 21, strike “driveway sealers” and substitute “coal tar pavement products”.

On page 2, in line 11, strike “9-2304” and substitute “9-2305”; and in line 12, strike “Driveway Sealers” and substitute “Coal Tar Sealant Products”.

AMENDMENT NO. 2

On page 3, in line 12, strike “DRIVEWAY SEALERS” and substitute “COAL TAR SEALANT PRODUCTS”.

On page 4, in line 1, after “(B)” insert:

(Over)

“(1) “COAL TAR” MEANS A VISCOUS SUBSTANCE OBTAINED FROM THE DESTRUCTIVE DISTILLATION OF COAL THAT CONTAINS MORE THAN 1,000 PPM POLYCYCLIC AROMATIC HYDROCARBONS BY WEIGHT.

(2) “COAL TAR” INCLUDES:

(I) REFINED COAL TAR;

(II) HIGH TEMPERATURE COAL TAR;

(III) COAL TAR PITCH; AND

(IV) COAL TAR PITCH VOLATILES.

(C) “COAL TAR SEALANT PRODUCT” MEANS A SEALANT PRODUCT, CONTAINING COAL TAR OR COAL TAR PITCH VOLATILES WITH MORE THAN 1,000 PPM POLYCYCLIC AROMATIC HYDROCARBONS BY WEIGHT, THAT IS INTENDED FOR APPLICATION ON A SURFACE.”;

strike beginning with “DRIVEWAY” in line 1 down through “WEIGHT.” in line 8;

after line 12, insert:

“(A) EXCEPT AS PROVIDED IN THIS SECTION, THIS SUBTITLE DOES NOT LIMIT THE POWER OF A COUNTY, MUNICIPALITY, OR UNIT OF LOCAL GOVERNMENT TO ADOPT ORDINANCES, RULES, OR REGULATIONS RELATED TO COAL TAR SEALANT PRODUCTS.

(B) A COUNTY, MUNICIPALITY, OR UNIT OF LOCAL GOVERNMENT MAY NOT ADOPT ANY ORDINANCE, RULE, OR REGULATION RELATED TO COAL TAR SEALANT PRODUCTS THAT ARE LESS STRINGENT THAN THE REQUIREMENTS OF THIS SUBTITLE.

(C) THIS SUBTITLE DOES NOT AFFECT THE AUTHORITY OF A COUNTY, MUNICIPALITY, OR UNIT OF LOCAL GOVERNMENT TO ENACT AND ENFORCE STANDARDS OR REQUIREMENTS RELATED TO COAL TAR SEALANT PRODUCTS THAT ARE MORE STRINGENT THAN THE REQUIREMENTS OF THIS SUBTITLE.

9-2303.;

in line 16, after "SELL," insert "OR"; in line 17, strike ", OR MANUFACTURE A HIGH-PAH DRIVEWAY SEALER" and substitute "A COAL TAR SEALANT PRODUCT"; in line 22, strike "HIGH-PAH DRIVEWAY SEALER" and substitute "COAL TAR SEALANT PRODUCT"; in the same line, strike "PAVEMENT" and substitute "A DRIVEWAY OR PARKING AREA"; in lines 24 and 25, strike "DRIVEWAY SEALER" and substitute "COAL TAR SEALANT PRODUCT"; in line 27, strike "9-2303." and substitute "9-2304."; in lines 17, 25, and 30, in each instance, strike "USE" and substitute "APPLICATION TO A DRIVEWAY OR PARKING AREA"; and in lines 25 and 30, in each instance, strike "DRIVEWAY SEALER" and substitute "COAL TAR SEALANT PRODUCT".

On page 5, in line 1, strike "DRIVEWAY SEALER" and substitute "COAL TAR SEALANT PRODUCT"; in line 3, after "A" insert "COAL TAR"; and in line 8, strike "9-2304." and substitute "9-2305.".