

# 2006 SESSION

INTRODUCED

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## HOUSE BILL NO. 447

Offered January 11, 2006

Prefiled January 9, 2006

*A BILL to amend and reenact § 46.2-635 of the Code of Virginia, relating to certification by vehicle demolishers of removal of mercury switches in motor vehicles prior to demolition.*

Patrons—Ware, R.L., Albo, Bell, Dudley, Frederick, Hargrove, Iaquinto, Kilgore, Lohr, Marshall, D.W., Morgan, O'Bannon, Rust, Saxman and Scott, E.T.

Referred to Committee on Transportation

### **Be it enacted by the General Assembly of Virginia:**

#### **1. That § 46.2-635 of the Code of Virginia is amended and reenacted as follows:**

§ 46.2-635. Surrender of certificates for vehicles to be demolished; securing new title certificates.

Every person disposing of a motor vehicle, trailer, or semitrailer which is to be demolished shall make an assignment of title to the transferee as provided in § 46.2-628. The assigned certificate of title, when available, however, shall be delivered to the Department, accompanied by a form provided by the Commissioner, stating that the vehicle is to be demolished *and certifying that, before demolition, a good faith effort was made to remove mercury switches in vehicles manufactured for the 2002 model year and preceding model years.* On receipt of this form and the assigned title, the Commissioner shall forward to the transferee a receipt for them. *Manufacturers of vehicles sold in the Commonwealth shall be responsible for providing a method for storing, shipping, recycling, or disposing of mercury switches removed from vehicles manufactured by them. For purposes of this section "mercury switches" means each mercury-containing capsule, commonly known as a "bullet," that is part of a convenience light switch in a vehicle manufactured for the 2002 model year or any preceding model year.*

If the person, in lieu of demolishing the vehicle, sells, transfers, or operates the motor vehicle, trailer, or semitrailer, he shall first secure a certificate of title from the Department. Before issuing the new certificate of title, the Department shall inspect, or have inspected, the reconstructed vehicle.

If a motor vehicle, trailer, or semitrailer obtained for use or resale, is subsequently demolished, the owner shall immediately surrender its certificate of title to the Department.

**2. That prior to January 1, 2007, the Commissioner of the Department of Motor Vehicles shall consult with industry representatives and issue guidelines or regulations concerning the criteria and standards for removal of mercury switches by vehicle demolishers. Removal of mercury switches shall not be required in cases where it is unreasonable, impractical, or the vehicle has been damaged in such a way as to prevent removal. The Commissioner shall consult with vehicle manufacturers to develop guidelines or regulations for storage, shipping, recycling, or disposal of mercury switches removed from vehicles. Manufacturers shall participate individually or as a group in providing for postremoval handling of mercury switches.**

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