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SENATE BILL NO. 648

Senate Amendments in [] — February 12, 2008

A BILL to amend and reenact § 10.1-1422.6 of the Code of Virginia, relating to used motor oil.

Patrons Prior to Engrossment—Senator Ticer; Delegates: Bulova, Marsden and Scott, J.M.

Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:**1. That § 10.1-1422.6 of the Code of Virginia is amended and reenacted as follows:**

§ 10.1-1422.6. Used motor oil, oil filters, and antifreeze; signs; establishment of statewide program.

A. The Department shall establish a statewide used motor oil, oil filters, and antifreeze management program. The program shall encourage the environmentally sound management of motor oil, oil filters, and antifreeze by (i) educating consumers on the environmental benefits of proper management, (ii) publicizing options for proper disposal, and (iii) promoting a management infrastructure that allows for the convenient recycling of these materials by the public. The Department may contract with a qualified public or private entity to implement this program.

B. The Department shall maintain a statewide list of sites that accept used (i) motor oil, (ii) oil filters, and (iii) antifreeze from the public. The list shall be updated at least annually. The Department shall create, maintain, and promote an Internet Web site a toll-free hotline number and a website where consumers may receive information describing the location of collection sites in their locality to properly dispose of used motor oil, oil filters, and antifreeze.

C. The Department shall establish an ongoing outreach program to existing and potential collection sites that provides a point of contact for questions and disseminates information on (i) the way to establish a collection site, (ii) technical issues associated with being a collection site, and (iii) the benefits of continued participation in the program.

D. The Department shall conduct and publish annual surveys of consumers to analyze: (i) trends in the numbers of individuals who change their own motor oil, oil filters, or antifreeze; (ii) the proportion of such individuals who properly dispose of motor oil, oil filters, or antifreeze; and (iii) the reasons that individuals choose not to properly dispose of motor oil, oil filters, or antifreeze.

E. Any person who sells motor oil, oil filters, or antifreeze at the retail level and who does not accept the return of used motor oil, oil filters, or antifreeze shall post a sign that encourages the environmentally sound management of these products and provides a Web site website address and toll-free hotline number where additional information on the locations of used motor oil, oil filters and antifreeze collection sites are available. This sign shall be provided by the Department or its designee to all establishments selling motor oil, oil filters, or antifreeze. In determining the size and manner in which such signs may be affixed or displayed at the retail establishment, the Department shall give consideration to the space available in such retail establishments.

EF. Any person who violates any provision of subsection D shall be subject to a fine of twenty-five dollars.

[2. That the provisions of this act shall not become effective unless an appropriation of general funds effectuating the purposes of this act is included in a general appropriations act passed by the 2008 Session of the General Assembly, which becomes law.]

ENGROSSED

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