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HOUSE BILL NO. 699**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Conservation and Natural Resources
on February 10, 1994)

(Patron Prior to Substitute—Delegate Abbitt)

A BILL to amend the Code of Virginia by adding a section numbered 10.1-1418.2, relating to disposal of tires; penalty.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 10.1-1418.2 as follows:

§ 10.1-1418.2. Improper disposal of tires; exemption; penalty.

A. It shall be unlawful for any person knowingly to store, dump, litter, dispose of, speculatively accumulate or otherwise place more than 500 waste tires on public or private property in the Commonwealth, without first having obtained a permit as required by § 10.1-1408.1. For the purposes of this section, "speculatively accumulated waste tires" means any waste tires that are accumulated before being used, reused, or reclaimed or in anticipation of potential use, reuse, or reclamation. Waste tires are not being accumulated speculatively when they can be used, reused, or reclaimed; they have a feasible means of use, reuse, or reclamation available; and at least seventy-five percent of the waste tires accumulated are being removed from the site annually.

B. No person knowingly shall, nor shall he allow others to, store, dump, litter, dispose of, speculatively accumulate or otherwise place on his property more than 500 waste tires, without first having obtained a permit as required by § 10.1-1408.1.

C. Any person who violates any provision of this section shall be guilty of a Class 6 felony.

D. Salvage yards licensed by the Department of Motor Vehicles shall be exempt from this section.