

SB 641

FILED

2009 MAY -8 PM 3:41

WEST VIRGINIA LEGISLATURE

OFFICE WEST VIRGINIA
SECRETARY OF STATE

SEVENTY-NINTH LEGISLATURE
REGULAR SESSION, 2009



ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 641

(SENATORS K. FACEMYER AND PREZIOSO,
original sponsors)

[Passed April 11, 2009; in effect ninety days from passage.]

FILED

2009 MAY -8 PM 3: 41

OFFICE WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 641

(SENATORS K. FACEMYER AND PREZIOSO, *original sponsors*)

[Passed April 11, 2009; in effect ninety days from passage.]

AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §24A-2-4b, relating generally to disclosures regarding the origin of solid wastes deposited in commercial landfills and transfer stations in this state; requiring the operator-driver of every solid waste motor carrier who deposits solid waste in a commercial landfill or transfer station to declare in writing, under oath, and to provide to certain entities, the name of the county and state of origin of the solid waste being deposited at the commercial landfill or transfer station; and providing criminal penalties against an operator-driver or owner of a solid waste motor carrier.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §24A-2-4b, to read as follows:

ARTICLE 2. COMMON CARRIERS BY MOTOR VEHICLES.

§24A-2-4b. Motor carriers transporting solid waste; origin of waste disclosure; penalties.

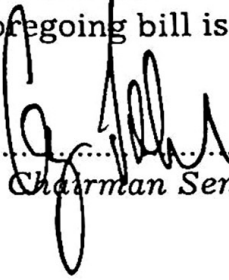
1 (a) The operator-driver of every solid waste motor
2 carrier vehicle which arrives at a commercial solid waste
3 facility, including, but not limited to, commercial landfills
4 and transfer stations, in this state is required to declare, in
5 writing and under oath, the name of the county and state
6 of origin of the solid waste being deposited at the commer-
7 cial solid waste facility. The operator-driver of the solid
8 waste motor carrier vehicle shall give a copy of this
9 completed declaration form to the operator of the com-
10 mercial landfill or of the transfer station, to the West
11 Virginia Public Service Commission and to the county
12 solid waste authority.

13 (b) The Public Service Commission shall prepare and
14 provide commercial solid waste facility operators with a
15 uniform disclosure form for use in effecting this provision.

16 (c) Any operator-driver of a solid waste motor carrier
17 vehicle who violates this section is guilty of a misde-
18 meanor and, upon conviction thereof, shall be fined not
19 less than \$50 nor more than \$500.

20 (d) Any owner of a solid waste motor carrier vehicle
21 which deposits solid waste in violation of this section is
22 guilty of a misdemeanor and, upon conviction thereof,
23 shall be fined \$1,000.


The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


.....
Chairman Senate Committee

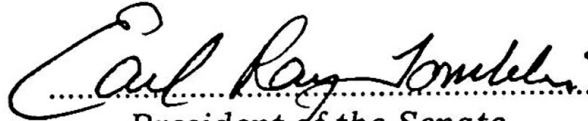

.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.


.....
Clerk of the Senate


.....
Clerk of the House of Delegates


.....
President of the Senate


.....
Speaker House of Delegates

The within is approved this the 5th
Day of May, 2009.


.....
Governor

PRESENTED TO THE
GOVERNOR

MAY 6 2009

Time 11:00am