WEST VIRGINIA LEGISLATURE
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.]
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.

(a) The operator-driver of every solid waste motor carrier vehicle which arrives at a commercial solid waste facility, including, but not limited to, commercial landfills and transfer stations, in this state is required to declare, in writing and under oath, the name of the county and state of origin of the solid waste being deposited at the commercial solid waste facility. The operator-driver of the solid waste motor carrier vehicle shall give a copy of this completed declaration form to the operator of the commercial landfill or of the transfer station, to the West Virginia Public Service Commission and to the county solid waste authority.

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

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

(d) Any owner of a solid waste motor carrier vehicle which deposits solid waste in violation of this section is guilty of a misdemeanor and, upon conviction thereof, 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 __ day of ___, 2009.

Governor
PRESENTED TO THE GOVERNOR

MAY 6 2009

Time 11:00 a.m.