

**HB0835/830118/1**

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 835

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after “Department;” insert “requiring certain vehicle manufacturers to report certain information to the Department on or before a certain date; requiring the Department to make a certain determination; making this Act subject to a certain contingency; requiring the Department to forward a copy of a certain determination to the Department of Legislative Services; providing for the termination of this Act under certain circumstances:”.

AMENDMENT NO. 2

On page 5 in line 31, and on page 6 in line 4, in each instance, strike “\$5” and substitute “**\$3**”.

On page 8, in line 3, strike “**31**” and substitute “**1**”.

AMENDMENT NO. 3

On page 12, after line 24, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) In this section, “vehicle manufacturer” means a person that:

(1) Is the last person in the production or assembly process of a new motor vehicle that uses mercury switches; or

(2) Serves as an importer or domestic distributor of a motor vehicle that uses mercury switches produced outside of the United States.

(Over)

(b) On or before November 1, 2008, each vehicle manufacturer that sells motor vehicles in the State shall report to the Department of the Environment on how many mercury switches or mercury switch assemblies were captured in Maryland by the vehicle manufacturer under the National Vehicle Mercury Switch Removal Program during the 12-month period ending September 30, 2008.

(c) On or before December 1, 2008, the Department of the Environment shall determine whether the National Vehicle Mercury Switch Removal Program has captured at least 103,600 mercury switches or mercury switch assemblies in Maryland during the 12-month period ending September 30, 2008.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) Section 1 of this Act shall take effect January 1, 2009, contingent on a determination under Section 2 of this Act by the Department of the Environment that fewer than 103,600 mercury switches or mercury switch assemblies were captured in Maryland under the National Vehicle Mercury Switch Removal Program during the 12-month period ending September 30, 2008.

(b) If the Department makes a determination under subsection (a) of this section:

(1) That fewer than 103,600 mercury switches or mercury switch assemblies were captured in Maryland under the National Vehicle Mercury Switch Removal Program during the 12-month period ending September 30, 2008, Section 1 of this Act shall take effect on January 1, 2009; or

(2) That at least 103,600 mercury switches or mercury switch assemblies were captured in Maryland under the National Vehicle Mercury Switch Removal Program during the 12-month period ending September 30, 2008, 30 days after the Department makes the determination, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

(c) Within 5 days after making a determination under subsection (a) of this section, the Department shall forward a copy of the determination to the Department of Legislative Services, 90 State Circle, Annapolis, Maryland.”;

in line 25, strike “2.” and substitute “4.”; and in the same line, after “That” insert “, subject to Section 3 of this Act.”.