

SENATE BILL 2544

By Norris

AN ACT to amend Tennessee Code Annotated, Section 55-4-133 and Title 68, Chapter 211, Part 10, relative to automotive fluids.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-4-133, is amended by deleting the section in its entirety and substituting instead the following:

55-4-133.

(a) To increase public knowledge of the availability of collection facilities for used oil and other automotive fluids and the benefits of recycling used oil and other automotive fluids, the department shall conduct a promotional campaign, including, but not limited to, the inclusion of information concerning the Used Oil Collection Act, pursuant to title 68, chapter 211, part 10, with motor vehicle registration renewal notices. This information shall include automotive fluid collection center locations and the toll-free telephone information number established by the department of environment and conservation pursuant to § 68-211-1005. The department may include additional information as deemed appropriate by the department.

(b) As used in this section, unless the context otherwise requires:

(1) "Automotive fluid collection center" has the same meaning as defined in § 68-211-1002;

(2) "Other automotive fluid" has the same meaning as defined in § 68-211-1002; and

(3) "Used oil" has the same meaning as defined in § 68-211-1002.

SECTION 2. Tennessee Code Annotated, Section 68-211-1002, is amended by inserting the following language as new, appropriately designated subdivisions:

() "Automotive fluid collection center" means a facility, including, without limitation, a fixed location, tank, truck, and container, that accepts used oil or any other automotive fluid from DIYers;

() "Other automotive fluid" means antifreeze, transmission fluid, or power steering fluid;

SECTION 3. Tennessee Code Annotated, Section 68-211-1002(4), is amended by inserting the language "or any other automotive fluid" immediately following the language "used oil".

SECTION 4. Tennessee Code Annotated, Section 68-211-1002(9), is amended by deleting the language "a facility, including fixed locations, tanks, trucks and containers, which accepts used oil from DIYers and which" and substituting instead "an automotive fluid collection center that accepts from DIYers only used oil or used oil in addition to other automotive fluids and that".

SECTION 5. Tennessee Code Annotated, Section 68-211-1003, is amended by deleting the section and substituting instead the following:

68-211-1003.

(a) It is the intent of the general assembly to reduce the amount of improperly disposed used oil and other automotive fluids by providing incentives to increase the number of collection facilities for used oil and other automotive fluids.

(b) It is the purpose of this part to provide for:

(1) The establishment and maintenance of automotive fluid collection centers and programs that support the collection and recycling of used oil and other automotive fluids;

(2) The development of management standards for automotive fluid collection centers and used oil collection centers, transporters, and recyclers; and

(3) The promotion of educational programs to encourage the public to dispose of used oil and other automotive fluids properly.

SECTION 6. Tennessee Code Annotated, Section 68-211-1005, is amended in subdivisions (1)-(2) and (5)-(7), by deleting the language "used oil collection centers" wherever it appears and substituting instead the language "automotive fluid collection centers"; and by inserting the language "and other automotive fluids" immediately following the language "used oil" wherever it appears.

SECTION 7. Tennessee Code Annotated, Section 68-211-1011, is amended by adding the following language as a new subsection:

(c) An automotive fluid collection center that accepts any other automotive fluid shall meet any management standards established by the department for other automotive fluids pursuant to § 68-211-1013(b).

SECTION 8. Tennessee Code Annotated, Section 68-211-1013, is amended by designating the existing language as subsection (a) and adding the following language as subsection (b):

(b) The department may develop management standards for the collection of other automotive fluids by automotive fluid collection centers if the department determines that the standards will promote the health and welfare of the public.

SECTION 9. Tennessee Code Annotated, Section 68-211-1013(a)(2), is amended by deleting the language "used oil information network system" and by substituting instead the language "information system established by the department pursuant to § 68-211-1005;".

SECTION 10. Tennessee Code Annotated, Section 68-211-1017, is amended by designating the existing subsection (a) as subdivision (a)(1) and by adding the following language as subdivision (a)(2):

(2) A retailer of any other automotive fluid may request from the department a sign to post on the retailer's premises that informs the public of the importance of the proper collection and disposal of other automotive fluids from DIYers and that contains the toll-free number established by the department pursuant to § 68-211-1005. The department shall design and provide the signs upon request.

SECTION 11. Tennessee Code Annotated, Section 68-211-1017(a)(1), is amended by deleting the subdivision and substituting instead the following:

(a)

(1) A retailer of automotive oil that is not a used oil collection center shall post and maintain on the retailer's premises, at or near the point of the automotive oil display or sale, a durable and legible sign (minimum size of eight and one-half by eleven inches (8½" x 11")) that informs the public of the importance of the proper collection and disposal of used oil from DIYers and that contains the toll-free number established by the department pursuant to § 68-211-1005. The department shall design and provide the signs upon request.

SECTION 12. Tennessee Code Annotated, Section 68-211-1017(b), is amended by deleting the subsection and substituting instead the following:

(b) The department shall, upon the request of:

(1) A used oil collection center, design and provide a sign that identifies used oil collection centers; and

(2) An automotive fluid collection center that accepts other automotive fluids, design and provide a sign that identifies automotive fluid collection centers.

SECTION 13. Tennessee Code Annotated, Section 68-211-1018, is amended by inserting the language "or any other automotive fluid" immediately following the language "release of used oil"; by deleting the language "a used oil collection center" and substituting instead the language "an automotive fluid collection center"; and by inserting the language "or other automotive fluid" immediately following the language "used oil" in subdivisions (2)-(4).

SECTION 14. This act shall take effect July 1, 2016, the public welfare requiring it.