

9631

May 13, 2014

LBD10485-04-4

1 2. THE COMMISSIONER SHALL ISSUE EACH LICENSEE A UNIQUE LICENSE NUMBER
2 AND A CERTIFICATE. THE LICENSE SHALL BE RENEWABLE ANNUALLY JANUARY
3 FIRST, WHEN ACCOMPANIED BY A ONE HUNDRED DOLLAR LICENSING RENEWAL FEE
4 AND CERTIFICATION OF COMPLIANCE WITH THE PROVISIONS OF THIS TITLE.

5 3. EVERY LICENSEE SHALL RECORD, MAINTAIN FOR TWO YEARS, AND MAKE
6 AVAILABLE FOR INSPECTION BY THE DEPARTMENT ALL OF THE FOLLOWING INFORMA-
7 TION:

8 (A) THE NAME AND ADDRESS OF EACH LOCATION OR PERSON FROM WHICH THE
9 REGISTRANT OBTAINED THE YELLOW GREASE FOR TRANSPORTATION.

10 (B) THE QUANTITY OF MATERIAL RECEIVED FROM EACH LOCATION OR PERSON.

11 (C) THE DATE ON WHICH THE YELLOW GREASE WAS OBTAINED FROM EACH
12 LOCATION OR PERSON.

13 (D) THE YELLOW GREASE OPERATION OR OTHER PROCESSOR SHALL MAINTAIN
14 RECORDS INDICATING THE NAME AND ADDRESS OF EACH LOCATION TO WHOM THE
15 YELLOW GREASE WAS DELIVERED.

16 4. EVERY LICENSEE WHO SELLS THE YELLOW GREASE COLLECTED SHALL PROVIDE
17 THE PURCHASER WITH A STATEMENT OF OWNERSHIP SETTING FORTH THE LAWFUL
18 OWNERSHIP OF THE YELLOW GREASE SOLD TO SUCH PURCHASER.

19 5. NO PERSON REQUIRED TO BE LICENSED UNDER THIS TITLE SHALL COLLECT OR
20 TRANSPORT YELLOW GREASE WITHOUT ALL OF THE FOLLOWING:

21 (A) HAVING IN HIS OR HER POSSESSION A COPY OF THE LICENSE REQUIRED BY
22 THIS TITLE OR OTHER PROOF THAT THE PERSON IS IN COMPLIANCE WITH THE
23 LICENSURE REQUIREMENT OF THIS TITLE.

24 (B) CONSPICUOUSLY DISPLAYING THE LICENSEE'S NAME AND THE LICENSE
25 NUMBER IN LETTERS NOT LESS THAN THREE INCHES HIGH ON ANY VEHICLE USED
26 FOR THE TRANSPORTATION OF YELLOW GREASE.

27 (C) PROVIDING THE PURCHASER WITH A STATEMENT OF OWNERSHIP SETTING
28 FORTH THE LAWFUL OWNERSHIP OF THE YELLOW GREASE SOLD TO SUCH PURCHASER.
29 S 37-0903. UNLAWFUL ACTS AND PENALTIES.

30 1. IT SHALL BE A VIOLATION OF THIS TITLE TO DO ANY OF THE FOLLOWING:

31 (A) SELL OR OFFER FOR SALE TO ANY PERSON UNLICENSED UNDER THIS TITLE
32 ANY YELLOW GREASE, KNOWING SUCH UNLICENSED PERSON WOULD TRANSPORT SUCH
33 YELLOW GREASE IN VIOLATION OF THIS TITLE.

34 (B) STEAL, MISAPPROPRIATE, INTENTIONALLY CONTAMINATE, OR DAMAGE ANY
35 YELLOW GREASE CONTAINER, PART THEREOF, OR GREASE THEREIN.

36 (C) TAKE OR POSSESS YELLOW GREASE FROM A COLLECTOR THAT IS NOT
37 LICENSED UNDER THIS TITLE UNLESS OTHERWISE ALLOWED UNDER THIS CHAPTER,
38 OR KNOWINGLY TAKE POSSESSION OF YELLOW GREASE THAT HAS BEEN STOLEN.

39 (D) TAKE AND CARRY AWAY, OR AID IN TAKING OR CARRYING AWAY, ANY YELLOW
40 GREASE CONTAINER OR THE YELLOW GREASE CONTAINED THEREIN, WHICH CONTAINER
41 BEARS A NOTICE THAT UNAUTHORIZED REMOVAL IS PROHIBITED WITHOUT WRITTEN
42 CONSENT OF THE OWNER OF THE CONTAINER.

43 (E) PLACE A LABEL ON A YELLOW GREASE CONTAINER KNOWING THAT IT IS
44 OWNED BY ANOTHER PERSON IN ORDER TO CLAIM OWNERSHIP OF THE CONTAINER.

45 2. THIS SECTION SHALL NOT APPLY TO A FARMER WHO COLLECTS YELLOW GREASE
46 FOR A USE THAT IS RELATED TO HIS OR HER FARM.

47 3. A CONTAINER IN WHICH YELLOW GREASE IS DEPOSITED THAT BEARS A NAME
48 ON THE CONTAINER SHALL BE PRESUMED TO BE OWNED BY THE PERSON NAMED ON
49 THE CONTAINER.

50 4. ANY PERSON WHO VIOLATES SUBDIVISION ONE OF THIS SECTION SHALL BE
51 PENALIZED AS FOLLOWS:

52 (A) IF THE VALUE OF THE YELLOW GREASE CONTAINER, OR THE CONTAINER AND
53 THE YELLOW GREASE CONTAINED THEREIN, IS ONE THOUSAND DOLLARS OR LESS, IT
54 SHALL BE A CLASS A MISDEMEANOR.

1 (B) IF THE VALUE OF THE YELLOW GREASE CONTAINER, OR THE CONTAINER AND
2 THE YELLOW GREASE CONTAINED THEREIN, IS MORE THAN ONE THOUSAND DOLLARS,
3 IT SHALL BE A CLASS E FELONY.

4 (C) A VIOLATION OF THIS SECTION SHALL BE A CLASS E FELONY WHEN COMMIT-
5 TED BY A PERSON WHO HAS PREVIOUSLY BEEN CONVICTED OF ANY VIOLATION OF
6 THIS SECTION IN THE PRECEDING FIVE YEARS.

7 S 2. This act shall take effect January 1, 2015 and shall apply to
8 offenses committed on or after such effective date.