

5322--C

2015-2016 Regular Sessions

I N S E N A T E

May 13, 2015

Introduced by Sens. MARCELLINO, HOYLMAN, LATIMER -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation -- recommitted to the Committee on Environmental Conservation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to prohibiting mercury-added rotational balancing products

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 Section 1. Section 37-0113 of the environmental conservation law, as
2 added by chapter 494 of the laws of 2010, is amended to read as follows:
3 S 37-0113. Lead AND MERCURY-ADDED wheel [weight] WEIGHTS; prohibited.
4 1. On and after April first, two thousand eleven any person replacing
5 or balancing a tire on a motor vehicle required to be registered under
6 article fourteen of title four of the vehicle and traffic law, shall not
7 use a wheel weight or other product for balancing motor vehicle wheels
8 if the weight or other balancing product contains more than 0.1 percent
9 lead by weight.
10 2. On and after April first, two thousand eleven, a person shall not
11 sell or offer to sell or distribute weights or other products for
12 balancing motor vehicle wheels if the weight or other balancing product
13 contains more than 0.1 percent lead by weight.
14 3. On and after April first, two thousand twelve, a person may not
15 sell a new motor vehicle that is equipped with a weight or other product
16 for balancing motor vehicle wheels if the weight or other balancing
17 product contains more than 0.1 percent lead by weight.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

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1 4. ON OR AFTER APRIL FIRST, TWO THOUSAND EIGHTEEN, ANY PERSON REPLAC-
2 ING OR BALANCING A TIRE ON A MOTOR VEHICLE REQUIRED TO BE REGISTERED
3 UNDER ARTICLE FOURTEEN OF TITLE FOUR OF THE VEHICLE AND TRAFFIC LAW,
4 SHALL NOT USE A WHEEL WEIGHT OR OTHER PRODUCT FOR BALANCING MOTOR VEHI-
5 CLE WHEELS IF THE WEIGHT OR OTHER BALANCING PRODUCT CONTAINS MERCURY
6 THAT WAS INTENTIONALLY ADDED DURING THE MANUFACTURE OF THE PRODUCT.

7 5. ON AND AFTER APRIL FIRST, TWO THOUSAND EIGHTEEN, A PERSON SHALL NOT
8 SELL OR OFFER TO SELL OR DISTRIBUTE WEIGHTS OR OTHER PRODUCTS FOR
9 BALANCING MOTOR VEHICLE WHEELS IF THE WEIGHT OR OTHER BALANCING PRODUCT
10 CONTAINS MERCURY THAT WAS INTENTIONALLY ADDED DURING THE MANUFACTURE OF
11 THE PRODUCT.

12 6. For purposes of this section, the following terms shall have the
13 following meanings:

14 a. "New motor vehicle" means a motor vehicle that is required to be
15 registered under article fourteen of title four of the vehicle and traf-
16 fic law that has not been previously sold to any person except a
17 distributor, wholesaler or motor vehicle dealer for resale.

18 b. "Person" means any individual, firm, association, partnership,
19 corporation, organization, or joint venture.

20 S 2. This act shall take effect immediately.