

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.16906 Record.

Sec. 16906.

(1) A person who by contract, agreement, or otherwise arranges for the removal of scrap tires from a property under his or her control, including an end-user, shall do all of the following:

(a) If a complete record is not obtained from the registered scrap tire hauler pursuant to section 16905(5) or from an owner, operator, or authorized agent of a location pursuant to subsection (3), promptly notify the department of the missing record or information.

(b) Maintain the records described in subdivision (a) at the site of removal for 3 years.

(c) Make the records available to the department or a law enforcement officer upon request during reasonable hours.

(2) A person who receives scrap tires, including an end-user, shall maintain a record of all scrap tires received. The record shall be maintained for 3 years and shall be made available upon request to the department or a law enforcement officer at reasonable hours. The record shall contain all of the information required of a scrap tire hauler in section 16905(3).

(3) Upon acceptance of scrap tires at a location authorized by section 16902(1), the owner, operator, or authorized agent of that location shall sign the record, indicating acceptance of the scrap tires, and provide a copy of the signed record to the person delivering the scrap tires. Within 30 days, the owner or operator of the location receiving the scrap tires shall forward a copy of the signed record to the person who by contract, agreement, or otherwise arranged for the removal of the scrap tires being delivered. If the number of scrap tires received by a location authorized by section 16902(1) differs from the number of scrap tires indicated on the record provided for in section 16905(3) by the person who by contract, agreement, or otherwise arranged for the removal of the scrap tires being delivered or by the scrap tire hauler, the owner or operator of the location receiving the scrap tires shall contact the person who arranged for removal of the scrap tires or the scrap tire hauler, or both, as necessary, and determine where any additional tires received by that location originated or where any missing tires not received by that location were taken.

(4) If a consumer purchases replacement tires at a retailer and retains the tires being replaced, the retailer shall obtain the signature of the consumer on an invoice, receipt, or other record acknowledging retention of the scrap tires unless the consumer refuses.

(5) A retreader shall maintain for 3 years, and make available upon request to the department or a law enforcement officer at reasonable hours, all records required to be carried or maintained with the retreader's tire casings including all of the following:

(a) A retread work order that includes the customer's name, date of transaction, retreader DOT identification number pursuant to 49 CFR part 574, order number, and details of casing information for the casing intended for processing. Work orders shall reflect the number of tires that are being transported and retreaded.

(b) A work order sales report that specifies the work process detail for the customer work order. This report shall be returned to the customer with the work order number and invoice.

(c) An invoice stating the sales transaction of the retread process that was completed for the customer.

History: 1994, Act 451, Eff. Mar. 30, 1995 ;-- Am. 2002, Act 496, Imd. Eff. July 3, 2002 ;-- Am. 2006, Act 529, Imd. Eff. Dec. 29, 2006 ;-- Am. 2014, Act 543, Imd. Eff. Jan. 15, 2015

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