

SENATE BILL 5367

State of Washington

52nd Legislature

1991 Regular Session

By Senators Patterson, Sellar, Owen and Snyder.

Read first time January 29, 1991. Referred to Committee on Transportation.

1 AN ACT Relating to transporting recovered materials; and amending
2 RCW 81.80.440.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 81.80.440 and 1990 c 123 s 1 are each amended to read
5 as follows:

6 (1) It is unlawful for a motor vehicle transporting recovered
7 materials to perform a transportation service for compensation upon the
8 public highways of this state without first having received a permit
9 from the commission. The permits shall be granted upon a finding that
10 the motor carrier is fit, willing, and able to provide transportation
11 of recovered materials, and upon payment of the appropriate filing fee
12 authorized by this chapter for other applications for operating
13 authority, including payment of the annual regulatory fee imposed by
14 RCW 81.80.320. The carriers are subject to the safety of operations

1 and insurance requirements of the commission, but are not subject to
2 rate regulation by the commission.

3 (2) The provisions of this section apply to motor vehicles when:

4 (a) Transporting recovered materials for a person from ((a)) one or
5 more sites generating ten thousand or more tons of recovered materials
6 per year to a reprocessing facility or an end-use manufacturing site;

7 (b) Transporting recovered materials from a reprocessing facility
8 to another reprocessing facility or to an end-use manufacturing site;
9 or

10 (c) Transporting recovered mixed waste paper from a reprocessing
11 facility to an energy recovery facility.

12 (3) For the purposes of this section, the following definitions
13 shall apply:

14 (a) "Recovered materials" means those commodities collected for
15 recycling or reuse, such as papers, glass, plastics, used wood, metals,
16 yard waste, used oil, and tires, that if not collected for recycling
17 would otherwise be destined for disposal or incineration. "Recovered
18 materials" shall not include any wood waste or wood byproduct generated
19 from a logging, milling, or chipping activity;

20 (b) "Reprocessing facility" means a business registered under
21 chapter 82.32 RCW or a nonprofit corporation identified under chapter
22 24.03 RCW that accepts or purchases recovered materials and prepares
23 those materials for resale;

24 (c) "Mixed waste paper" means assorted low-value grades of paper
25 that have not been separated into individual grades of paper at the
26 point of collection; and

27 (d) "Energy recovery facility" means a facility designed to burn
28 mixed waste paper as a fuel, except that such term does not include
29 mass burn incinerators.