

1 H.184

2 Representative Olsen of Londonderry moves that the bill be amended by
3 adding a Sec. 21a to read as follows:

4 Sec. 21a. 10 V.S.A. § 6607a is amended to read:

5 § 6607a. WASTE TRANSPORTATION

6 (a) A commercial hauler desiring to transport waste within the State shall
7 apply to the Secretary for a permit to do so, by submitting an application on a
8 form prepared for this purpose by the Secretary and by submitting the
9 disclosure statement described in section 6605f of this title. These permits
10 shall have a duration of five years and shall be renewed annually. The
11 application shall indicate the nature of the waste to be hauled. The Secretary
12 may specify conditions that the Secretary deems necessary to assure
13 compliance with State law.

14 (b) As used in this section:

15 (1) “Commercial hauler” means:

16 (A) any person that transports regulated quantities of hazardous
17 waste; and

18 (B) any person that transports solid waste for compensation in a
19 vehicle.

20 (2) The commercial hauler required to obtain a permit under this section
21 is the legal or commercial entity that is transporting the waste, rather than the

1 individual employees and subcontractors of the legal or commercial entity. In
2 the case of a sole proprietorship, the sole proprietor is the commercial entity.

3 (3) The Secretary shall not require a commercial hauler to obtain a
4 permit under this section, comply with the disclosure requirements of this
5 section, comply with the reporting and registration requirements of section
6 6608 of this title, or pay the fee specified in 3 V.S.A. § 2822, if:

7 (A) the commercial hauler does not transport more than four cubic
8 yards of solid waste at any time; and

9 (B) the solid waste transportation services performed are incidental to
10 other nonwaste transportation-related services performed by the commercial
11 hauler.

12 * * *

13 (g)(1) Except as set forth in subdivisions (2) and (3) of this subsection, a
14 ~~transporter certified under this section~~ commercial hauler that offers the
15 collection of municipal solid waste shall:

16 * * *

17 (2) In a municipality that has adopted a solid waste management
18 ordinance addressing the collection of mandated recyclables, leaf and yard
19 residuals, or food residuals, a ~~transporter~~ commercial hauler in that
20 municipality is not required to comply with the requirements of subdivision (1)

1 of this subsection and subsection (h) of this section for the material addressed
2 by the ordinance if the ordinance:

3 * * *

4 (3) A ~~transporter~~ commercial hauler is not required to comply with the
5 requirements of subdivision (1)(A), (B), or (C) of this subsection in a specified
6 area within a municipality if:

7 * * *

8 (h) A ~~transporter~~ commercial hauler certified under this section that offers
9 the collection of municipal solid waste may not charge a separate line item fee
10 on a bill to a residential customer for the collection of mandated recyclables,
11 provided that a ~~transporter~~ commercial hauler may charge a fee for all service
12 calls, stops, or collections at a residential property and a ~~transporter~~
13 commercial hauler may charge a tiered or variable fee based on the size of the
14 collection container provided to a residential customer or the amount of waste
15 collected from a residential customer. A ~~transporter~~ commercial hauler
16 certified under this section may incorporate the cost of the collection of
17 mandated recyclables into the cost of the collection of solid waste and may
18 adjust the charge for the collection of solid waste. A ~~transporter~~ commercial
19 hauler certified under this section that offers the collection of solid waste may
20 charge a separate fee for the collection of leaf and yard residuals or food
21 residuals from a residential customer.