

1 S.190

2 Senator MacDonald moves that the report of the Committee on Finance be  
3 amended by adding a new reader assistance heading and new Secs. 3, 4, and 5  
4 to read as follows:

5 Sec. 3. 10 V.S.A. §§ 2613 is added to read:

6 § 2613. TRANSPORTATION OF TREES, LOGS, CHIPS, FIREWOOD, OR  
7 PULPWOOD; TRIP TICKETS

8 (a) Trip ticket required. Except as provided in subsection (b) of this  
9 section, every load of forest products that is transported from the location of a  
10 timber harvest to the location of first measurement shall be accompanied by a  
11 trip ticket containing at a minimum the following information:

12 (1) The name, signature, legal mailing address, address of the principal  
13 place of business or residence, e-mail address, and telephone number of the  
14 person transporting the forest products.

15 (2) The date the forest products are transported.

16 (3) The location of the timber harvest, including the town and the  
17 nearest public town highway used to access the timber harvest, and the  
18 landowner's name, mailing address, physical address of residence, e-mail  
19 address, and telephone number.

20 (4) The destination where the forest products will be transported to and  
21 the expected date of delivery.

1           (5) The name of the purchaser of the forest products.

2           (6) The volume of the forest products on the load to be transported in  
3 thousand board feet, cords, or tons.

4           (7) The load number for the harvest. Each load of forest products  
5 transported from the timber harvest shall be assigned a distinct load number by  
6 the transporter that is associated with that timber harvest.

7           (b) Exemptions. The following are exempt from the requirements of this  
8 section:

9           (1) the transportation of cut, split firewood that is exempt from the  
10 harvest notification requirements under section 2613 of this title; or

11           (2) the transportation of up to 10 Christmas trees.

12           (c) Trip ticket part of record. A mill, facility, or other person accepting a  
13 load of forest products from a timber harvest shall require a trip ticket prior to  
14 first measurement. The person transporting the forest products shall provide a  
15 copy of the trip ticket to the mill, facility, or other person accepting delivery.  
16 The mill, facility, or other person accepting delivery shall maintain a copy of  
17 the trip ticket for a period of at least six years from the date of delivery and  
18 shall provide a copy of the trip ticket to the landowner and to the  
19 Commissioner in a manner as prescribed by the Commissioner. The mill,  
20 facility, or other person accepting delivery shall maintain all mill slips, scale  
21 slips, or other records related to the delivery for a period of at least six years

1 from the date of delivery and shall provide copies upon request to the  
2 landowner or landowner's agent where the forest products were harvested.

3 (d) Transportation after first measurement; bill of sale trip ticket. Every  
4 load of forest products that is transported after the first measurement shall be  
5 accompanied by a bill of sale trip ticket that shall be provided by the mill,  
6 facility, or other person selling the forest products. The mill or facility shall  
7 provide a copy of the bill of sale to the landowner and to the Commissioner in  
8 a manner prescribed by the Commissioner. The bill of sale shall contain the  
9 following information:

10 (1) the name, mailing address, address of the principal place of business  
11 or residence, and telephone number of the mill owner, facility, or person  
12 selling the forest products and the name, mailing address, and telephone  
13 number of the buyer;

14 (2) a load number assigned by and unique to the mill owner, facility, or  
15 person selling the forest products;

16 (3) the volume of the forest products in thousand board feet, cords,  
17 or tons;

18 (4) the destination of the load;

19 (5) the date of the transportation; and

20 (6) the expected date of delivery.

1       (e) Rulemaking. The Commissioner may adopt rules to implement the  
2       provisions of this section.

3       (f) Enforcement; violations.

4           (1) Unless exempt under subsection (b) of this section, a person  
5       transporting forest products or any person, entity, mill, or facility accepting  
6       delivery of forest products shall present the trip ticket or bill of sale trip ticket  
7       to a law enforcement officer or any employee of the State authorized to enforce  
8       this section.

9           (2) It shall be a violation of this section to misrepresent or falsify any  
10       information on a trip ticket.

11           (3) In addition to the civil enforcement provided in chapters 201 and  
12       211 of this title, any person who knowingly or recklessly commits a violation  
13       of any provision of this section or the rules adopted under this section shall be  
14       imprisoned not more than two years or fined not more than \$150,000.00,  
15       or both.

16           (4) Information related to a violation of this section may be used as  
17       evidence in a civil action under 13 V.S.A. § 3606.

18       Sec. 4. 10 V.S.A. § 8003 is amended to read:

19       § 8003. APPLICABILITY

20           (a) The Secretary may take action under this chapter to enforce the  
21       following statutes and rules, permits, assurances, or orders implementing the

1 following statutes, and the Board may take such action with respect to  
2 subdivision (10) of this subsection:

3 \* \* \*

4 (25) 10 V.S.A. chapter 83, subchapter 8, relating to the importation of  
5 firewood, harvest notifications, and required trip tickets.

6 \* \* \*

7 Sec. 5. 10 V.S.A. § 8503(a) is amended to read:

8 (a) This chapter shall govern all appeals of an act or decision of the  
9 Secretary, excluding enforcement actions under chapters 201 and 211 of this  
10 title and rulemaking, under the following authorities and under the rules  
11 adopted under those authorities:

12 (1) The following provisions of this title:

13 \* \* \*

14 (T) chapter 83, subchapter 8 (importation of firewood, harvest  
15 notifications, and required trip tickets).

16 \* \* \*

17 and by renumbering the remaining section (effective date) to be numerically  
18 correct.