



Rep. Karen May

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09400HB1628ham002

LRB094 02848 RSP 43890 a

1 AMENDMENT TO HOUSE BILL 1628

2 AMENDMENT NO. _____. Amend House Bill 1628, AS AMENDED,
3 with reference to page and line numbers of House Amendment 1,
4 on page 7, immediately after line 30, by inserting the
5 following:

6 "Section 40. Phase-out of mercury-added vehicle
7 components. To prevent emissions or other releases of mercury
8 from vehicles, effective 2 vehicle model years from the
9 effective date of this Act, no mercury-added component shall be
10 included as part of a new vehicle offered for sale in Illinois.

11 Section 45. Exemptions.

12 (a) A mercury-added component that is necessary in a
13 vehicle to ensure compliance with federal or State health and
14 safety requirements, or for purposes of national security,
15 shall be exempt from the requirements of Section 40 of this
16 Act, provided that:

17 (1) the manufacturer applies or reapplies for an
18 exemption to the Agency; and

19 (2) the application is in writing, in a form acceptable
20 to the Agency, and the application states the need for an
21 exemption and the legal basis for an exemption.

22 (A) The application must include documentation
23 that there is "no technically feasible alternative" to
24 the use of mercury in the component and that there is

1 no comparable mercury-free component available at
2 reasonable cost to address the health or safety
3 requirement or issue of national security. "No
4 technically feasible alternative" does not include the
5 use of mercury for the purpose of marketing.

6 (B) The applicant must include a description of how
7 the manufacturer will fund the system for the proper
8 removal, collection, and recovery of the mercury-added
9 component while the vehicle is in commerce and at the
10 end of the vehicle's useful life.

11 (C) Subject to the issuance of public notice and
12 solicitations of public comment, the Agency shall
13 accept or reject the application for exemption within
14 90 days.

15 (b) An exemption application may be submitted to the
16 Agency, subject to public notice and comment, for safety
17 components not required by federal or State law. An exemption
18 may only be granted upon clear demonstration that:

19 (1) such components will substantially increase public
20 health and safety, taking into account any impacts the
21 components may have on overall on-road public safety and
22 the life-cycle impacts of the mercury use; and

23 (2) there is no technically feasible alternative to the
24 use of mercury in the component.

25 (c) An exemption granted under this Section by the Agency
26 shall be valid for a period not to exceed 2 years.

27 (d) Exemptions granted under this Section shall be
28 renewable for periods not to exceed 2 years.

29 (e) If granted an exemption, any vehicle that may contain a
30 mercury-added component shall be labeled by the manufacturer in
31 a manner to clearly inform purchasers that mercury is present
32 in the vehicle and that the component may not be disposed of or
33 placed in a waste stream destined for disposal until the
34 mercury is removed, reused, recovered, properly disposed of as

1 a hazardous waste, or otherwise managed to ensure that the
2 mercury does not become mixed with other solid waste. The label
3 shall identify the component with sufficient detail so that it
4 may be readily located for removal. The label shall be placed
5 on the doorpost of each vehicle that may contain a
6 mercury-added component and be constructed of materials that
7 are sufficiently durable to remain legible for the useful life
8 of the vehicle.

9 Section 50. Design for recycling. Manufacturers, when
10 designing vehicles and their components, shall:

11 (1) To the maximum extent practicable, eliminate toxic
12 substances from their vehicles.

13 (2) Insure that their vehicles are designed to be
14 recycled in a safe, cost effective, and environmentally
15 sound manner, using existing technologies, entities, and
16 infrastructures.

17 (3) Where a vehicle is found to present environmental
18 risks that make it uneconomical to recycle, make
19 appropriate design or manufacturing changes.".