

SENATE BILL 713

M3

7lr3288
CF HB 504

By: **Senators Young, Madaleno, Manno, Pinsky, and Smith**

Introduced and read first time: February 3, 2017

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Products That Contain Mercury – Prohibition on Sale of Electric Switches,**
3 **Electric Relays, and Gas Valve Switches**

4 FOR the purpose of prohibiting a certain marketer from selling or providing certain electric
5 switches, electric relays, and gas valve switches that contain mercury to a consumer;
6 providing for the application of this Act; and generally relating to products that
7 contain mercury.

8 BY renumbering

9 Article – Environment

10 Section 6–905.3 through 6–905.6, respectively

11 to be Section 6–905.4 through 6–905.7, respectively

12 Annotated Code of Maryland

13 (2013 Replacement Volume and 2016 Supplement)

14 BY repealing and reenacting, without amendments,

15 Article – Environment

16 Section 6–905(a)

17 Annotated Code of Maryland

18 (2013 Replacement Volume and 2016 Supplement)

19 BY adding to

20 Article – Environment

21 Section 6–905(b–1), (b–2), and (c–1) and 6–905.3

22 Annotated Code of Maryland

23 (2013 Replacement Volume and 2016 Supplement)

24 BY repealing and reenacting, with amendments,

25 Article – Environment

26 Section 6–905(e) and (f)

27 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2013 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 6–905.3 through 6–905.6, respectively, of Article – Environment of the Annotated Code of Maryland be renumbered to be Section(s) 6–905.4 through 6–905.7, respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Environment

6–905.

(a) In this part the following words have the meanings indicated.

(B–1) “ELECTRIC RELAY” MEANS A PRODUCT OR DEVICE THAT OPENS OR CLOSES ELECTRICAL CONTACTS TO EFFECT THE OPERATION OF OTHER DEVICES IN THE SAME OR ANOTHER ELECTRICAL CIRCUIT.

(B–2) “ELECTRIC SWITCH” MEANS A PRODUCT OR DEVICE THAT OPENS OR CLOSES AN ELECTRICAL CIRCUIT.

(C–1) “GAS VALVE SWITCH” MEANS A PRODUCT OR DEVICE THAT OPENS OR CLOSES A GAS VALVE.

(e) “Marketer” means a person that manufactures, assembles, sells, distributes, affixes a brand name or private label to, or licenses the use of a brand name on:

(1) A fever thermometer containing mercury; [or]

(2) A thermostat containing mercury;

(3) AN ELECTRIC SWITCH CONTAINING MERCURY;

(4) AN ELECTRIC RELAY CONTAINING MERCURY; OR

(5) A GAS VALVE SWITCH CONTAINING MERCURY.

(f) “Mercury–added product” means any of the following products if containing elemental mercury or a mercury compound that has been added to the product for any reason:

(1) Dyes or pigments; AND

1 (2) [Electric switches; and

2 (3)] Fluorescent lamps.

3 **6-905.3.**

4 (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A
5 MARKETER MAY NOT SELL OR PROVIDE TO A CONSUMER INDIVIDUALLY OR AS A
6 PRODUCT COMPONENT:

7 (1) AN ELECTRIC SWITCH CONTAINING MERCURY;

8 (2) AN ELECTRIC RELAY CONTAINING MERCURY; OR

9 (3) A GAS VALVE SWITCH CONTAINING MERCURY.

10 (B) THIS SECTION DOES NOT APPLY TO AN ELECTRIC SWITCH, AN ELECTRIC
11 RELAY, OR A GAS VALVE SWITCH THAT IS SOLD OR PROVIDED TO REPLACE A SWITCH
12 OR RELAY THAT IS A COMPONENT OF A LARGER PRODUCT IN USE ON OR BEFORE
13 OCTOBER 1, 2017, IF:

14 (1) THE LARGER PRODUCT IS USED IN MANUFACTURING;

15 (2) THE LARGER PRODUCT IS USED IN A GENERATING,
16 TRANSMISSION, OR DISTRIBUTING FACILITY FOR ELECTRIC ENERGY, GAS, OR
17 WATER;

18 (3) THE SWITCH OR RELAY IS INTEGRATED WITH, AND NOT
19 PHYSICALLY SEPARATE FROM, OTHER COMPONENTS OF THE LARGER PRODUCT; OR

20 (4) THE USE OF THE SWITCH OR RELAY IS REQUIRED UNDER FEDERAL
21 LAW OR REGULATION.

22 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2017.