

HOUSE BILL 411

M3

9lr1211

By: **Delegates Lafferty and Ebersole**

Introduced and read first time: January 30, 2019

Assigned to: Environment and Transportation and Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Sale and Application of Coal Tar and Coal Tar Pavement**
3 **Products – Prohibition**

4 FOR the purpose of prohibiting, on or after a certain date, a person from selling, offering
5 for sale, or applying to certain surfaces coal tar or coal tar pavement products;
6 establishing certain penalties for certain violations; defining certain terms; and
7 generally relating to coal tar and coal tar pavement products.

8 BY adding to

9 Article – Environment

10 Section 9–2201 through 9–2203 to be under the new subtitle “Subtitle 22. Coal Tar
11 and Coal Tar Pavement Products”

12 Annotated Code of Maryland

13 (2014 Replacement Volume and 2018 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That the Laws of Maryland read as follows:

16 **Article – Environment**

17 **SUBTITLE 22. COAL TAR AND COAL TAR PAVEMENT PRODUCTS.**

18 **9–2201.**

19 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
20 INDICATED.

21 (B) (1) “COAL TAR” MEANS A VISCOUS SUBSTANCE THAT:

22 (I) IS OBTAINED FROM THE DISTILLATION OF BITUMINOUS

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 COAL; AND

2 (II) CONTAINS LEVELS OF POLYCYCLIC AROMATIC
3 HYDROCARBONS GREATER THAN 10,000 MILLIGRAMS PER KILOGRAM.

4 (2) "COAL TAR" INCLUDES:

5 (I) REFINED COAL TAR;

6 (II) HIGH TEMPERATURE COAL TAR;

7 (III) COAL TAR PITCH; AND

8 (IV) COAL TAR PITCH VOLATILES.

9 (C) "COAL TAR PAVEMENT PRODUCT" MEANS A PRODUCT THAT:

10 (1) IS INTENDED FOR USE AS A SEALANT ON PAVEMENT OR A SIMILAR
11 SURFACE; AND

12 (2) CONTAINS COAL TAR.

13 9-2202.

14 ON OR AFTER OCTOBER 1, 2020, A PERSON MAY NOT SELL, OFFER FOR SALE,
15 OR APPLY TO PAVEMENT OR A SIMILAR SURFACE COAL TAR OR A COAL TAR
16 PAVEMENT PRODUCT.

17 9-2203.

18 A PERSON WHO VIOLATES THIS SUBTITLE IS SUBJECT TO:

19 (1) FOR A FIRST VIOLATION, A CIVIL PENALTY NOT EXCEEDING \$500;
20 AND

21 (2) FOR A SECOND OR SUBSEQUENT VIOLATION, A CIVIL PENALTY
22 NOT EXCEEDING \$1,000.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2019.