

HOUSE BILL 553

M3
HB 411/19 – ENT & ECM

0lr0373
CF 0lr2218

By: **Delegates Stewart, C. Watson, Acevero, Barron, Boyce, Carr, Charkoudian, Ebersole, Feldmark, Fraser-Hidalgo, Guyton, Hettleman, Lehman, R. Lewis, Lierman, Love, Moon, Palakovich Carr, Shetty, Solomon, Terrasa, K. Young, and P. Young**

Introduced and read first time: January 27, 2020

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

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

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

9 BY adding to
10 Article – Environment
11 Section 9–2301 through 9–2303 to be under the new subtitle “Subtitle 23. Coal Tar
12 Pavement Products”
13 Annotated Code of Maryland
14 (2014 Replacement Volume and 2019 Supplement)

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

17 **Article – Environment**

18 **SUBTITLE 23. COAL TAR PAVEMENT PRODUCTS.**

19 **9–2301.**

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

(I) IS OBTAINED FROM THE DISTILLATION OF BITUMINOUS COAL; AND

(II) CONTAINS LEVELS OF POLYCYCLIC AROMATIC HYDROCARBONS GREATER THAN 100,000 MILLIGRAMS PER KILOGRAM.

(2) “COAL TAR” INCLUDES:

(I) REFINED COAL TAR;

(II) HIGH TEMPERATURE COAL TAR;

(III) COAL TAR PITCH; AND

(IV) COAL TAR PITCH VOLATILES.

(C) “COAL TAR PAVEMENT PRODUCT” MEANS A PRODUCT THAT:

(1) CONTAINS COAL TAR; AND

(2) IS INTENDED FOR USE AS A SEALANT ON PAVEMENT OR A SIMILAR SURFACE.

9–2302.

ON OR AFTER OCTOBER 1, 2021, A PERSON MAY NOT:

(1) SELL OR OFFER FOR SALE A COAL TAR PAVEMENT PRODUCT; OR

(2) APPLY A COAL TAR PAVEMENT PRODUCT TO PAVEMENT OR A SIMILAR SURFACE.

9–2303.

A PERSON WHO VIOLATES THIS SUBTITLE IS SUBJECT TO:

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

(2) FOR A SECOND OR SUBSEQUENT VIOLATION, A CIVIL PENALTY

1 NOT EXCEEDING \$1,000.

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
3 October 1, 2020.