

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article - Natural Resources

8-1413.2.

(1) Except for designated hazardous substances used for residential purposes or those regulated by the Department of Agriculture, a person may not transport a designated hazardous substance from a source within the State or to a facility within the State unless the person first obtains a certificate from the Department of Health and Mental Hygiene and the transporting vehicle is certified by the Department of Health and Mental Hygiene. Every person holding a hauler certificate shall:

(6) Remove from the transporting vehicle, treat, blend, or mix, or store for any period of time, designated hazardous substances, only in a facility, except under Department supervision during an emergency.

(p) There is a class of offenses under this section which shall be misdemeanors, each punishable by a fine not exceeding \$25,000, or by confinement in the penitentiary for up to 3 years, or both. Each day on which a violation occurs constitutes a separate offense. Violations of the provisions of this section or any rule, regulation, order, or permit issued pursuant thereto which are not enumerated as offenses under this subsection shall be subject to other penalties established by this subtitle. Persons convicted of the following offenses are punishable under this subsection;

(1) Any person who stores or dumps, discharges, abandons, or otherwise disposes of, or who authorizes, directs, or permits any person to store or dump, discharge, abandon, or otherwise dispose of, a designated hazardous substance in any place other than a facility for which a permit has been issued by the Department pursuant to this subsection;

(2) Any person who transports for storage or disposal or who authorizes, directs, or permits any person to transport for storage or disposal a designated hazardous substance to any place other than a facility for which a permit has been issued by the Department pursuant to this section; or

(3) Any person who falsifies, or who authorizes, directs, or permits any person to falsify any information required to be submitted to the Department by the provisions of this subtitle or any rule, regulation, order, or permit issued pursuant thereto.