

~~(f) [(1) Except as provided in paragraph (2) of this subsection, after January 1, 1994 scrap] SCRAP tires may not be disposed of in a landfill.~~

~~[(2) The Secretary may waive the requirements of paragraph (1) of this subsection under such terms and conditions and for such periods as the Department considers appropriate if the Department determines that a scrap tire recycling system:~~

~~(i) Does not exist; or~~

~~(ii) Has insufficient capacity to accommodate the amount of scrap tires generated in the State.]~~

9-274.

~~(a) The State Used Tire Cleanup and Recycling Fund shall consist of moneys made available under:~~

~~(1) Loan authorizations;~~

~~(2) Funds appropriated in the State budget;~~

~~(3) Fees collected for the sale of tires by retail dealers under § 9-228(g) of this subtitle; or~~

~~(4) Bond and security forfeitures collected under § 9-228(k) of this subtitle.~~

~~(b) (1) The Fund is limited to a maximum of [\$15,000,000] \$10,000,000.~~

~~(2) If the sum of unallocated funds in the Fund and the projected fees for the next fiscal year exceeds [\$15,000,000] \$10,000,000, the Board of Public Works shall adjust the fees for the next fiscal year on a pro rata basis so that the sum of unallocated and actual fees does not exceed [ \$15,000,000] \$10,000,000.~~

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

### **Article - Environment**

9-228.

~~[(g) (1) (i) Beginning on February 1, 1992, a tire recycling fee shall be imposed on the first sale of a new tire in the State by a tire dealer, including new tires sold as part of a new or used vehicle, trailer, farm implement, or other similar machinery.~~

~~(ii) A county, municipal corporation, or any agency of a county or municipal corporation may not impose any tax, fee, or other charge on the first sale of a new tire by a tire dealer.~~

~~(2) The tire recycling fee:~~

~~(i) May not exceed \$1.00 per tire; and~~

~~(ii) Shall be established by the Board of Public Works.~~