

former incorrect references to an "automotive dismantler or recycler facility" for consistency with § 8-801(c) of the Transportation Article.

(D) JUNKYARD.

"JUNKYARD" HAS THE MEANING STATED IN § 8-801 OF THE TRANSPORTATION ARTICLE.

REVISOR'S NOTE: Chapter 26, Acts of 2002, which enacted the Criminal Law Article, also added this subsection, which is new language derived without substantive change from former Art. 27, § 469(a), as it related to junkyards. The term is revised as a definition for clarity.

(E) SCRAP METAL PROCESSING FACILITY.

"SCRAP METAL PROCESSING FACILITY" HAS THE MEANING STATED IN § 8-801 OF THE TRANSPORTATION ARTICLE.

REVISOR'S NOTE: Chapter 26, Acts of 2002, which enacted the Criminal Law Article, also added this subsection, which is new language derived without substantive change from former Art. 27, § 469(a), as it related to scrap material processing facilities. The term is revised as a definition for clarity.

5-10A-02. JUNKYARDS AND RELATED FACILITIES — MAINTENANCE.

(A) REQUIRED.

A PERSON WHO OWNS, MAINTAINS, OR CAUSES TO BE MAINTAINED A JUNKYARD, AUTOMOTIVE DISMANTLER AND RECYCLER FACILITY, SCRAP METAL PROCESSING FACILITY, OR AUTOMOBILE GRAVEYARD THAT LAWFULLY EXISTED ON JANUARY 1, 1972 AND THAT ADJOINS A RIVER, STREAM, OR OTHER BODY OF WATER SHALL:

(1) STORE AND MAINTAIN TRASH, JUNK, AUTOMOBILES, OR AUTOMOBILE PARTS TO PREVENT THE DUMPING, DEPOSITING, OR TRANSPORTING OF THIS MATTER INTO THE WATERS OF THE STATE;

(2) INFORM THE DEPARTMENT AND THE ADMINISTRATION OF PROVISIONS PLANNED OR MADE TO PREVENT THE DUMPING, DEPOSITING, OR TRANSPORTING OF THIS MATTER INTO THE WATERS OF THE STATE; AND

(3) COMPLY WITH THE STANDARDS AND SPECIFICATIONS OF THE ADMINISTRATION RELATING TO:

(I) THE ERECTION OF RETAINING WALLS; OR

(II) THE USE OF DEVICES OR PROCEDURES TO RESTRAIN THE DUMPING, DEPOSITING, OR TRANSPORTING OF THIS MATTER INTO THE WATERS OF THE STATE.

(B) PENALTY.