

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
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3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 1463

6
7 H.P. 1014

House of Representatives, May 6, 1985

8 On Motion of Representative Reeves of Pittston House reconsidered
9 reference to the Committee on Energy and Natural Resources and on further
10 motion of same Representative referred to the Committee on Legal Affairs.
Sent up for concurrence and ordered printed. Ordered sent forthwith.

EDWIN H. PERT, Clerk

Presented by Representative Reeves of Pittston.

11 Cosponsored by Representative Dellert of Gardiner, Representative
Hickey of Augusta and Senator Bustin of Kennebec.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT to Require Refuse Receptacles to
18 Comply with Federal Safety Standards.
19

20 Be it enacted by the People of the State of Maine as
21 follows:

22 22 MRSA c. 266-A is enacted to read:

23 CHAPTER 266-A

24 REFUSE BINS

25 §1641. Definitions

26 As used in this chapter, unless the context oth-
27 erwise indicates, the following terms have the fol-
28 lowing meanings.

29 1. Internal volume. "Internal volume" means the
30 actual volumetric capacity of the container. This
31 may not necessarily correspond to the nominal size
32 rating used by industry.

1 2. Refuse bin. "Refuse bin" means a metal re-
2 ceptacle having an internal volume one cubic yard or
3 greater, by actual measurement, which temporarily re-
4 ceives and holds refuse for ultimate disposal either
5 by unloading into the body or loading hopper of a
6 refuse collection vehicle or by other means.

7 §1642. Safe refuse bins required

8 No refuse bin may be placed in or around a perma-
9 nent or temporary household or residence, school,
10 recreational facility or other place where individu-
11 als may be able to gain access to and climb in or
12 upon or swing from or pull on the bin unless the bin
13 is not a banned hazardous product under 16 Code of
14 Federal Regulations, Part 1301, in effect January 1,
15 1985. The owner of the refuse bin is responsible for
16 assuring that the bin is not a banned hazardous
17 product.

18 §1643. Penalty

19 An owner of a refuse bin who does not comply with
20 section 1642, commits a civil violation for which a
21 forfeiture of not more than \$500 may be adjudged.
22 Each day a violation continues shall be a separate
23 violation.

24 §1644. Inspection

25 Upon request, the Bureau of Health shall inspect
26 any refuse bin to determine if the bin is in compli-
27 ance with the standards of 16 Code of Federal Regula-
28 tions, Part 1301, in effect January 1, 1985, and not
29 a banned hazardous product under that Part.

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STATEMENT OF FACT

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The purpose of this bill is to require all refuse bins in use in Maine to be in compliance with established federal safety standards. A failure by the owner of a refuse bin to meet these standards is made a civil violation. The Bureau of Health is required, upon request, to inspect a refuse bin to determine if it meets the federal standards.

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