

State of Wisconsin



1997 Senate Bill 496

Date of enactment: April 21, 1998

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1997 WISCONSIN ACT 165

AN ACT *to repeal* 100.45 (2) (a) 1. and 2. and 100.45 (3) (c) 5.; *to renumber and amend* 100.45 (2) (a) 3.; and *to amend* 100.45 (2) (b) (intro.), 2. and 3., 100.45 (3) (c) (intro.) and 1. to 4., 100.45 (4) (c) 1., 100.45 (5) (a) 3. and 100.45 (5) (c) of the statutes; **relating to:** ozone-depleting refrigerant and mobile air conditioners.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 100.45 (2) (a) 1. and 2. of the statutes are repealed.

SECTION 2. 100.45 (2) (a) 3. of the statutes is renumbered 100.45 (2) (a) and amended to read:

100.45 (2) (a) ~~After December 31, 1995, a~~ A manufacturer or distributor may not distribute for sale in this state a mobile air conditioner that contains ozone-depleting refrigerant and that is original equipment in a new motor vehicle.

SECTION 3. 100.45 (2) (b) (intro.), 2. and 3. of the statutes are amended to read:

100.45 (2) (b) (intro.) ~~After December 31, 1991, the~~ The department may waive the application of par. (a) to a manufacturer or distributor for a period of one year if any of the following applies:

2. Substitutes for ozone-depleting refrigerant ~~will~~ are not be available in sufficient quantities ~~in time~~ for the manufacturer or distributor to ~~meet the requirements under~~ comply with par. (a).

3. An acceptable mobile air conditioner cannot be manufactured in sufficient quantities ~~in time~~ for the manufacturer to ~~meet the requirements under~~ comply with par. (a) and the progress made by the manufacturer or distributor toward ~~meeting the requirements under~~ comply-

ing with par. (a) is comparable with the progress made by other manufacturers and distributors toward ~~meeting the~~ requirements under complying with par. (a).

SECTION 4. 100.45 (3) (c) (intro.) and 1. to 4. of the statutes are amended to read:

100.45 (3) (c) (intro.) No person may offer to sell, sell or otherwise transfer possession of ozone-depleting refrigerant that was removed from a mobile air conditioner but has not been ~~recycled or~~ reclaimed unless the person does all of the following apply:

1. ~~Certifies to the department that the~~ The person or another person uses approved refrigerant recovery equipment to remove the ozone-depleting refrigerant from mobile air conditioners.

2. ~~Provides~~ The person provides to the department upon request the identity of each person to whom it sells or otherwise transfers possession of the recovered ozone-depleting refrigerant.

3. ~~Certifies to the department that it~~ The person informs each person to whom it sells or otherwise transfers possession of the ozone-depleting refrigerant that the ozone-depleting refrigerant has not been ~~recycled or~~ reclaimed and, if the ozone-depleting refrigerant has not been recycled, that the ozone-depleting refrigerant has not been recycled.

4. ~~Certifies that all~~ All of the recovered ozone-depleting refrigerant is conveyed in a safe and timely man-

* Section 991.11, WISCONSIN STATUTES 1995-96: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

ner to a refrigerant reclamation facility that is recognized by the department or to a person who holds an annual registration certificate under sub. (4) (h) for recycling and re-use or resale.

SECTION 5. 100.45 (3) (c) 5. of the statutes is repealed.

SECTION 6. 100.45 (4) (c) 1. of the statutes is amended to read:

100.45 (4) (c) 1. Recycles the used ozone-depleting refrigerant using approved refrigerant recycling equipment at the establishment where the ozone-depleting refrigerant is removed or at another ~~establishment under common ownership~~ location and either reuses the recycled ozone-depleting refrigerant in servicing a mobile

air conditioner or trailer refrigeration equipment ~~at one of the establishments under common ownership~~ or sells or otherwise transfers possession of the recycled ozone-depleting refrigerant for conveyance to a refrigerant reclamation facility that is recognized by the department.

SECTION 7. 100.45 (5) (a) 3. of the statutes is amended to read:

100.45 (5) (a) 3. Fees to cover the costs of administering ~~subs. (2) (b) and (4)~~ this section.

SECTION 8. 100.45 (5) (c) of the statutes is amended to read:

100.45 (5) (c) Issue annual registration certificates to persons required to hold those certificates under ~~subs. (3) (b) and sub. (4) (h).~~
