

1 SB49  
2 164929-2  
3 By Senator Allen  
4 RFD: Transportation and Energy  
5 First Read: 03-MAR-15  
6 PFD: 02/27/2015

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4 ENGROSSED

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7 A BILL  
8 TO BE ENTITLED  
9 AN ACT

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11 To amend Section 23-1-241, Code of Alabama 1975,  
12 relating to the Highway Beautification Act-Junkyard Control,  
13 to define the term "primary system" consistent with federal  
14 law.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

16 Section 1. Section 23-1-241, Code of Alabama 1975,  
17 is amended to read as follows:

18 "§23-1-241.

19 "For the purposes of this division, the following  
20 terms shall have the meanings respectively ascribed to them by  
21 this section:

22 "(1) ~~(3)~~ AUTOMOBILE GRAVEYARD RECYCLER. Any  
23 establishment or place of business which is maintained, used,  
24 or operated for storing, keeping, buying or selling wrecked,  
25 scrapped, ruined, or dismantled motor vehicles or motor  
26 vehicle parts.

1           "(2) ~~(6)~~ DIRECTOR. The State Department of  
2 Transportation.

3           "(3) ~~(4)~~ INTERSTATE SYSTEM. That portion of the  
4 national system of interstate and defense highways located  
5 within this state or officially designated, or as may  
6 hereafter be so designated, by the director and approved by  
7 the United States Department of Transportation pursuant to the  
8 provisions of Title 23, United States Code, "Highways."

9           "(4) ~~(1)~~ JUNK. Old or scrap copper, brass, rope,  
10 rags, batteries, paper trash, rubber debris, waste or junked,  
11 dismantled or wrecked automobiles, or parts thereof, iron,  
12 steel, and other old or scrap ferrous or nonferrous material.

13           "(5) ~~(2)~~ JUNKYARD. Any establishment or place of  
14 business which is maintained, operated, or used for storing,  
15 keeping, buying, or selling junk or for the maintenance or  
16 operation of an automobile ~~graveyard~~ recycler. The term shall  
17 include garbage dumps and sanitary fills.

18           "(6) ~~(5)~~ PRIMARY SYSTEM. ~~That portion of connected~~  
19 ~~main highways as officially designated, or as may hereafter be~~  
20 ~~so officially designated, by the Director of Transportation~~  
21 ~~and approved by the United States Department of Transportation~~  
22 ~~pursuant to Title 23, United States Code, "Highways."~~ Any  
23 highway that is on the National Highway System, as defined  
24 under federal law, which includes the Interstate Highway  
25 System.

26           "(7) SCRAP PROCESSOR. Any person, firm, or  
27 corporation engaged only in the business of buying scrap iron

1 and metals, including, but not limited to, old automobiles,  
2 for the specific purpose of processing into raw material for  
3 remelting purposes only and whose principal product is ferrous  
4 and nonferrous scrap for shipment to steel mills, foundries,  
5 smelters, and refineries and maintaining an established place  
6 of business in this state and having facilities and machinery  
7 designed for such processing."

8 Section 2. This act shall become effective  
9 immediately following its passage and approval by the  
10 Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate  
committee on Transportation & Energy..... 03-MAR-15

Read for the second time and placed on the calen-  
dar..... 05-MAR-15

Read for the third time and passed as amended .... 18-MAR-15

Yeas 24  
Nays 7

Patrick Harris  
Secretary