

Senate Bill 578

By: Senators Whitehead, Sr. of the 24th, Cagle of the 49th, Hudgens of the 47th, Tolleson of the 20th and Stephens of the 27th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 15 of Title 12 of the Official Code of Georgia Annotated, relating to  
2 sewage holding tanks, and Chapter 2 of Title 31 of the Official Code of Georgia Annotated,  
3 relating to the Department of Human Resources, so as to provide that a commercial waste  
4 tank truck receiving or disposing of commercial waste may be inspected and permitted  
5 annually pursuant to rules and regulations promulgated by the Department of Human  
6 Resources; to provide for certain provisions allowing for the satisfaction of Title 12  
7 inspection requirements by inspections required in Title 31; to provide for certain provisions  
8 allowing for the satisfaction of Title 31 inspection requirements by inspections required in  
9 Title 12; to provide that inspections satisfied in one county or municipality in the state shall  
10 be accepted throughout the state; to provide for related matters; to repeal conflicting laws;  
11 and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 **SECTION 1.**

14 Chapter 15 of Title 12 of the Official Code of Georgia Annotated, relating to sewage holding  
15 tanks, is amended by striking paragraph (3) of subsection (a) of Code Section 12-15-21,  
16 relating to removal of commercial waste in clean and sanitary fashion, registration of waste  
17 transporters, disposal, manifest system, and penalty for violations, and inserting a new  
18 paragraph (3) and a new paragraph to be designated paragraph (4) to read as follows:

19 "(3) Any commercial waste tank truck which receives or disposes of commercial waste  
20 in this state shall be inspected and permitted annually for purposes of compliance with  
21 the requirements of this subsection by ~~the~~;

22 (A) The local governing authority or its designee of any county or municipality in this  
23 state in which the tank truck receives or disposes of commercial waste, and a single  
24 permit issued by any such local governing authority shall be valid for operation of such  
25 truck throughout the state. Such permit shall be on a standard form prescribed by rule  
26 or regulation of the department. The permit applicant shall be required to identify the

1 facilities at which waste carried by such truck will be disposed, and such facilities shall  
2 be identified on and be a condition of such permit. For any transporter, the amount of  
3 such annual permit fee shall be \$250.00 for the first truck and \$100.00 for each  
4 additional truck; or

5 (B) The local health department as provided in Code Section 31-2-7 and rules and  
6 regulations promulgated under that Code section. An inspection by the local health  
7 department shall satisfy the inspection requirements of this Code section and those of  
8 Code Section 31-2-7.

9 (4) Any inspection conducted by the local governing authority or its designee of any  
10 county or municipality in this state shall be accepted by all local governing authorities or  
11 their designees of any other county or municipality throughout the state."

## 12 **SECTION 2.**

13 Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department  
14 of Human Resources, is amended by inserting a new Code section to read as follows:

15 "31-2-7.1.

16 (a) Any vehicle required to be inspected for the purposes of Code Section 31-2-7 may  
17 satisfy such requirement with any inspection conducted under Code Section 12-15-21.

18 (b) Any inspection conducted by the local governing authority or its designee of any  
19 county or municipality in this state shall be accepted by all local governing authorities or  
20 their designees of any other county or municipality throughout the state."

## 21 **SECTION 3.**

22 All laws and parts of laws in conflict with this Act are repealed.