

## Chapter D Licensing Haulers of Solid Waste

### Subchapter 10 Licensing

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- § 10.01 Authority
  - § 10.02 Definitions
  - § 10.03 Effective Date
  - § 10.04 License Requirement
  - § 10.05 Hauler Standards
  - § 10.06 Licensing Standards
  - §10.07 Reporting Requirements
  - §10.08 License Fees
  - §10.09 Penalties
- 

#### §10.01 Authority

Ark. Code Ann. § 8-6-722 and Commission Regulation 22, charges regional solid waste management boards with the responsibility of licensing all haulers of solid waste within the District.

#### § 10.02 Definitions

- (a) “Hauler” means a Person engaged in the collection of Solid Waste in the District or Person engaged in the transportation of Solid Waste for disposal or storage in the District.
- (b) “Exempt Hauler” means Haulers exempt from licensing under this Chapter and includes: (i) individuals hauling only their own household waste to a permitted facility; (ii) the transport of Solid Waste from an industrial facility to its own Class 3N landfill; or (iii) the District engaged in hauling Solid Waste within the District.

- (c) "Licensed Hauler" means a Non-Exempt Hauler who has complied with all licensing standards set forth in Section 10.06 and paid the fees required by Section 10.
- (d) "New Hauler" means a Person who has not acted as a Non-Exempt Hauler in the District within the twenty-four months prior to applying for a Hauler license.
- (e) "Non-Exempt Hauler" means all Haulers except for Exempt Haulers.
- (f) "Solid Waste" means "solid waste" as defined in Ark. Code Ann. § 8-6-702(13).

§ 10.03            Effective Date

The requirements and fees imposed by this Chapter are mandatory and are effective on and after February 1<sup>st</sup>, 2014.

§ 10.04            License Requirement

All Non-Exempt Haulers must obtain a Hauler license. A Hauler license will only be issued to a person, partnership, corporation, association, the State of Arkansas, a political subdivision of the state, an improvement district, a sanitation authority or another regional solid waste management district.

§ 10.05            Hauler Standards

All Haulers shall comply with the standards for Haulers set forth in this regulation in and in Commission Regulation 22.202(g), except that Exempt Haulers shall not be required to comply with the Licensing Standards set forth in Section 10.06.

§ 10.06            Licensing Standards

All Non-Exempt Haulers shall:

- (a) Hold the appropriate driver's license as defined by Arkansas State Law.
- (b) Annually register all collection vehicles with the District providing on or attached to a form to be provided by the District:
  - i. Name, address and telephone number of the registrant;
  - ii. Description of vehicle to be registered including:
    - (A) Make, model, and year of vehicle;

(B) Vehicle ID number;

(C) License plate number; and

(D) Name of vehicle owner;

iii. Description of the nature of wastes and size of loads.

iv. Proof of contractor/vehicle liability insurance with minimum coverage required by State law.

#### § 10.07 Reporting Requirement

All Licensed Haulers shall submit to the District on or before January 15, April 15, July 15, and October 15, of each year a quarterly report which accurately states the total weight and general nature of Solid Waste hauled into, out of and/or within District boundaries and the source and destination of such Solid Waste. A report form for this purpose shall be mailed by the District to Licensed Haulers upon request. Failure to receive such form shall not exempt a Licensed Hauler from making the required report. The first report will be due April 15, 2014.

#### § 10.08 License Fees

All Licensed Haulers shall be assessed the following annual fees for licensing the collection and transportation of Solid Waste in the District:

By January 31 of each year all Licensed Haulers shall pay a minimum license fee of \$100.00 for the first vehicle registered. For each additional vehicle registered, a Licensed Hauler shall pay an additional fee of \$10 per vehicle registered up to a maximum fee of \$250.00. Upon payment of the foregoing fees, the Licensed Hauler will receive decals or licenses for each vehicle registered in a form determined by the Director.

Fees for New Haulers issued after January 31 of the calendar year will be prorated based on the number of full months remaining in the calendar year.

#### § 10.09 Penalties

Failure to obtain or renew a license by February 1 of each year result in doubling of the fees assessed to such Hauler as provided in Section 10.08. Failure to obtain or renew a license by March 1 of each year will result in revocation of the hauling license and the applicable Non-Exempt Hauler being prohibited from transporting or depositing Solid Waste in the District so

long as such Non-Exempt Hauler is not a Licensed Hauler. Any New Hauler who fails to obtain a license within 30 days after commencing to act a Non-Exempt Hauler shall be required to pay double the fees provided in Section 10.08 to obtain a license. Any New Hauler who fails to obtain a license within 60 days after commencing to act as a Non-Exempt Hauler shall be prohibited from transporting or depositing Solid Waste in the District so long as such New Hauler is not a Licensed Hauler.