

# SENATE BILL 246

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CF 2lr0588

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By: **Senator Kagan**

Introduced and read first time: January 14, 2022

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Salt Applicator Certification Program – Establishment**

3 FOR the purpose of requiring the Department of the Environment to establish a Salt  
4 Applicator Certification Program to encourage efficient winter maintenance of  
5 roadways, parking lots, and sidewalks through the use of salt or salt alternatives;  
6 requiring each commercial applicator to participate in the Program, be certified on  
7 or before a certain date, and maintain a valid certification; and generally relating to  
8 a Salt Applicator Certification Program.

9 BY adding to

10 Article – Environment

11 Section 9–2401 through 9–2404 to be under the new subtitle “Subtitle 24. Salt  
12 Applicator Certification Program”

13 Annotated Code of Maryland

14 (2014 Replacement Volume and 2021 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
16 That the Laws of Maryland read as follows:

17 **Article – Environment**

18 **SUBTITLE 24. SALT APPLICATOR CERTIFICATION PROGRAM.**

19 **9–2401.**

20 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**  
21 **INDICATED.**

22 **(B) “CERTIFIED COMMERCIAL APPLICATOR” MEANS A COMMERCIAL**  
23 **APPLICATOR WHO IS CERTIFIED UNDER THE PROGRAM.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (C) (1) "COMMERCIAL APPLICATOR" MEANS AN INDIVIDUAL WHO:

2 (I) APPLIES SALT OR A SALT ALTERNATIVE; OR

3 (II) SUPERVISES OTHER INDIVIDUALS WHO APPLY SALT OR A  
4 SALT ALTERNATIVE.

5 (2) "COMMERCIAL APPLICATOR" INCLUDES:

6 (I) PRIVATE BUSINESS OWNERS; AND

7 (II) PROPERTY MANAGERS.

8 (3) "COMMERCIAL APPLICATOR" DOES NOT INCLUDE STATE OR  
9 LOCAL GOVERNMENT EMPLOYEES.

10 (D) "PROGRAM" MEANS THE SALT APPLICATOR CERTIFICATION  
11 PROGRAM.

12 (E) "SALT" MEANS SODIUM CHLORIDE, CALCIUM CHLORIDE, MAGNESIUM  
13 CHLORIDE, OR ANY OTHER SUBSTANCE THAT CONTAINS CHLORIDE AND IS USED FOR  
14 THE PURPOSE OF DE-ICING OR ANTI-ICING.

15 (F) "SALT ALTERNATIVE" MEANS ANY SUBSTANCE THAT:

16 (1) DOES NOT CONTAIN CHLORIDE; AND

17 (2) IS USED FOR THE PURPOSE OF DE-ICING OR ANTI-ICING.

18 9-2402.

19 (A) (1) THE DEPARTMENT SHALL ESTABLISH A SALT APPLICATOR  
20 CERTIFICATION PROGRAM.

21 (2) THE DEPARTMENT:

22 (I) SHALL ADMINISTER THE PROGRAM; OR

23 (II) MAY DELEGATE ADMINISTRATION OF THE PROGRAM TO A  
24 PERSON CERTIFIED IN THE USE OF SALT AND SALT ALTERNATIVES FOR THE WINTER  
25 MAINTENANCE OF ROADWAYS, PARKING LOTS, AND SIDEWALKS.

1           **(B) THE PROGRAM SHALL:**

2                   **(1) ENCOURAGE EFFICIENT WINTER MAINTENANCE OF ROADWAYS,**  
3 **PARKING LOTS, AND SIDEWALKS THROUGH THE USE OF SALT OR SALT**  
4 **ALTERNATIVES; AND**

5                   **(2) PROVIDE A CERTIFICATION TO A COMMERCIAL APPLICATOR WHO**  
6 **SUCCESSFULLY COMPLETES THE PROGRAM.**

7           **(C) (1) THE DEPARTMENT SHALL CHARGE A FEE TO PARTICIPATE IN THE**  
8 **PROGRAM.**

9                   **(2) THE FEE CHARGED UNDER PARAGRAPH (1) OF THIS SUBSECTION**  
10 **SHALL BE SET AT AN AMOUNT THAT RECOVERS THE COSTS OF ADMINISTERING THE**  
11 **PROGRAM.**

12           **(D) EACH COMMERCIAL APPLICATOR MUST:**

13                   **(1) PARTICIPATE IN THE PROGRAM;**

14                   **(2) BE CERTIFIED ON OR BEFORE OCTOBER 1, 2024; AND**

15                   **(3) MAINTAIN A VALID CERTIFICATION TO CONTINUE PROVIDING THE**  
16 **SERVICES OF A COMMERCIAL APPLICATOR.**

17           **(E) A SALT APPLICATOR CERTIFICATION IS VALID FOR 3 YEARS.**

18 **9-2403.**

19           **A CERTIFIED COMMERCIAL APPLICATOR SHALL:**

20                   **(1) MAINTAIN, FOR A MINIMUM OF 3 YEARS, RECORDS OF EACH SALT**  
21 **APPLICATION FOR A WINTER WEATHER EVENT; AND**

22                   **(2) SUBMIT AN ANNUAL REPORT ON THEIR SALT USE TO THE**  
23 **DEPARTMENT.**

24 **9-2404.**

25           **THE DEPARTMENT MAY ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE.**

26           **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**  
27 **October 1, 2022.**

