

**455B.802 Definitions.**

As used in this division, unless the context otherwise requires:

1. “*Capture rate*” means the amount of mercury removed, collected, and recovered from end-of-life vehicles, expressed as a percentage of the mercury available from mercury-added switches in end-of-life vehicles annually.

2. “*End-of-life vehicle*” means any vehicle which is sold, given, or otherwise conveyed to a vehicle recycler or scrap recycling facility for the purpose of recycling and that does not exceed ten thousand pounds gross vehicle weight.

3. “*Manufacturer*” means any person that is the last person to produce or assemble a new vehicle that utilizes mercury-added switches, or in the case of an imported vehicle, the importer or domestic distributor of such vehicle. “*Manufacturer*” does not include a person that has never utilized a mercury-added switch in the production or assembly of a new vehicle.

4. “*Mercury-added switch*” means a light switch that contains mercury which was installed by a manufacturer in a motor vehicle.

5. “*Scrap recycling facility*” means a fixed location where machinery and equipment are utilized for processing and manufacturing scrap metal into prepared grades and whose principal product is scrap iron, scrap steel, or nonferrous metallic scrap for sale for remelting purposes.

6. “*Vehicle recycler*” means any person engaged in the business of acquiring, dismantling, or destroying six or more vehicles in a calendar year for the primary purpose of resale of the vehicles’ parts.

2006 Acts, ch 1120, §3

[SP] For future repeal of this section upon development and implementation of national mercury switch recovery program; conditions; see 2006 Acts, ch 1120, §11