

HAZARDOUS SUBSTANCES ACT (EXCERPT)
Act 188 of 1965

***** 286.455 THIS SECTION IS REPEALED BY ACT 210 OF 2015 EFFECTIVE MARCH 14, 2016 *****

286.455 Violation as misdemeanor or felony; penalties; persons not subject to penalties.

Sec. 5. (1) A person who violates section 4 is guilty of a misdemeanor, punishable by a fine of not more than \$2,000.00 or imprisonment for not more than 1 year, or both.

(2) A person who wilfully, or with intent to defraud or mislead, violates section 4 is guilty of a felony, punishable by a fine of not more than \$20,000.00 or imprisonment for not more than 5 years, or both.

(3) A person shall not be subject to the penalties of subsection (1) for violating section 4(c), if the receipt, delivery, or proffered delivery of the hazardous substance was made in good faith, unless that person refuses to furnish, upon the request of an officer or employee duly designated by the administrator, the name and address of the person from whom he or she purchased or received the hazardous or banned substance and copies of all documents pertaining to the delivery of the hazardous or banned substance to the person. A person shall not be subject to the penalties of subsection (1) for violating section 4(a) if that person establishes a guarantee or undertaking signed by, and containing the name and address of, the person residing in the United States from whom he or she received in good faith the hazardous or banned substance, to the effect that the hazardous or banned substance is not a misbranded hazardous substance.

History: 1965, Act 188, Eff. Mar. 31, 1966;—Am. 1967, Act 152, Eff. Nov. 2, 1967;—Am. 1974, Act 377, Eff. Apr. 1, 1975;—Am. 1982, Act 54, Imd. Eff. Apr. 6, 1982.