
A BILL FOR AN ACT

RELATING TO SOLID WASTE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 342G-113, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§342G-113 Redemption of empty deposit beverage**

4 **containers.** (a) Except as provided in subsection (b), a dealer
5 shall:

6 (1) Operate a redemption center by July 1, 2005, and shall
7 accept all types of empty deposit beverage containers
8 with a Hawaii refund value;

9 (2) Pay to the redeemer the full refund value for all
10 deposit beverage containers that bear a valid Hawaii
11 refund value; and

12 (3) Ensure each deposit beverage container collected is
13 recycled, and forward documentation necessary to
14 support claims for payment as stated in section 342G-
15 119 or rules adopted under this part.

16 (b) Subsection (a) shall not apply to any dealer:

17 ~~[(1) Who is located in a high density population area as~~
18 ~~defined by the director in rules, and within two miles~~



1 ~~of a certified redemption center that is operated~~

2 ~~independently of a dealer;~~

3 ~~(2) Who is located in a rural area as defined by rule;~~

4 ~~(3)]~~ (1) Who subcontracts with a certified redemption

5 center to be operated on the dealer's premises;

6 ~~(4)]~~ (2) Whose sales of deposit beverage containers are

7 only via vending machines;

8 ~~(5)]~~ (3) Whose place of business is less than five

9 thousand square feet of interior space;

10 ~~(6)]~~ (4) Who can demonstrate physical or financial

11 hardship, or both, based on specific criteria

12 established by rule; or

13 ~~(7)]~~ (5) Who meets other criteria established by the

14 director.

15 ~~[Notwithstanding paragraphs (1) and (2), the]~~ The director may

16 allow the placement of redemption centers ~~[at greater than~~

17 ~~prescribed distances]~~ to accommodate geographical features while

18 ensuring adequate consumer convenience.

19 (c) Regardless of the square footage of a dealer's place

20 of business, dealers who are not redemption centers shall post a

21 clear and conspicuous sign at the primary public entrance of the



1 dealer's place of business that specifies the name, address, and
2 hours of operation of the closest redemption center locations.

3 (d) If there is no redemption center within the two-mile
4 radius of a dealer [~~due to the criteria described in subsection~~
5 ~~(b)~~], then the respective county and the State shall determine
6 the need for a redemption center in that area. If a redemption
7 center is deemed necessary, then the State, with assistance from
8 the county, shall establish the redemption center with funding
9 from the deposit beverage container deposit special fund.

10 (e) Businesses that sell deposit beverages for on-premises
11 consumption, such as hotels, bars, and restaurants, shall
12 collect used deposit beverage containers from the patron and
13 either use a certified redemption center for the collection of
14 containers or become a certified redemption center."

15 SECTION 2. Notwithstanding the July 1, 2005 deadline
16 established by section 342G-113(a)(1), Hawaii Revised Statutes,
17 any dealer who was exempt under section 342G-113(b), Hawaii
18 Revised Statutes, prior to the enactment of this Act and who is:

- 19 (1) Located in a high density population area, as defined
20 by the director in rules, and within two miles of a
21 certified redemption center that is operated
22 independently of a dealer; or



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1 (2) Located in a rural area, as defined by rule,
2 shall operate a redemption center by January 1, 2007.

3 SECTION 3. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 4. This Act shall take effect on July 1, 2006.
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HB 1913

Report Title:

Solid Waste; Deposit Beverage Container Redemption

Description:

Makes the redemption center requirements of the deposit beverage container law applicable to dealers located in rural areas and dealers located within two miles of a certified redemption center in a high density population area.

