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## A BILL FOR AN ACT

RELATING TO SPECIAL WASTES DISPOSAL AND RECYCLING.

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

1           SECTION 1. Section 342I-23, Hawaii Revised Statutes, is  
2 amended as follows:

3           1. By amending subsection (a) to read:

4           "(a) Each tire retailer shall:

5           (1) Accept, at the point of transfer, in a quantity at  
6           least equal to the number of new motor vehicle tires  
7           purchased by a customer, used motor vehicle tires  
8           offered by the customer~~[-]~~;

9           (2) If a used motor vehicle tire is not exchanged at the  
10           time of sale, collect a \$25 deposit on the new tire;  
11           provided that:

12           (A) The deposit shall be returned to the customer  
13           when the customer delivers a used motor vehicle  
14           tire within thirty days of the date of sale;

15           (B) All funds received by a seller as a deposit on a  
16           motor vehicle tire shall be held in trust and  
17           separately accounted for by the seller. Any  
18           interest on those funds shall inure to the



1                   benefit of the seller. Annually on July 1, all  
 2                   deposits not returned to customers in exchange  
 3                   for used motor vehicle tires during the previous  
 4                   year ending June 30, shall inure to the benefit  
 5                   of the seller; and

6                   (C) This paragraph shall not apply to motorcycle or  
 7                   bicycle tires; and

8                   [~~(2)~~] (3) Post written notice which shall be at least  
 9                   [~~five~~] eight inches by [~~seven~~] eleven and one-half  
 10                   inches in size and easily visible to customers and  
 11                   shall contain the universal recycling symbol and the  
 12                   following language:

13                   (A) "It is illegal to discard a motor vehicle tire";

14                   (B) "Recycle your used tires";

15                   (C) "State law requires us to accept used motor  
 16                   vehicle tires for recycling or disposal, in  
 17                   exchange for new tires purchased"; [~~and~~]

18                   (D) "The final price of a new tire includes disposal  
 19                   of your old tire. The disposal fee is not  
 20                   subject to reduction or refund[~~-~~]" ; and



1           (E) "A deposit of \$25 will be charged for each new  
 2           motor vehicle tire that is not exchanged with a  
 3           used motor vehicle tire"."

4           2. By amending subsections (c) and (d) to read:

5           "(c) Any advertising pertaining to the price of motor  
 6 vehicle tires shall disclose whether a separate disposal fee may  
 7 be added to the final price of the tire [~~and~~], the actual cost  
 8 of the disposal fee[-], and the actual cost of the deposit for  
 9 each new motor vehicle tire that is not exchanged with a used  
 10 motor vehicle tire.

11           (d) For businesses utilizing advertising prepared out of  
 12 the State a sign no smaller than three square feet, placed at  
 13 the point of sale stating: "The price of tires includes  
 14 disposal of your old tires" and "A deposit of \$25 will be  
 15 charged for each new motor vehicle tire that is not exchanged  
 16 with a used motor vehicle tire" may be substituted."

17           SECTION 2. Statutory material to be repealed is bracketed  
 18 and stricken. New statutory material is underscored.

19           SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

*Karl Hood*

*Tom Brown*

~~*[Signature]*~~



A handwritten signature in black ink, appearing to read "P. Malo", with a large, sweeping underline that loops back to the left.

JAN 11 2012



# H.B. NO. 1696

**Report Title:**

Motor Vehicle Tires

**Description:**

Requires a deposit for each new motor vehicle tire sold that is not exchanged with a used motor vehicle tire, to be refunded on exchange of a used motor vehicle tire. Does not apply to motorcycle or bicycle tires.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

