

JAN 17 2014

A BILL FOR AN ACT

RELATING TO MOTOR VEHICLE TIRES.

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

1 SECTION 1. The legislature finds that Act 173, Session
2 Laws of Hawaii 2000, strengthened Hawaii's motor vehicle tire
3 recovery program by providing comprehensive requirements related
4 to registration and reporting, tire inventory records and
5 payment, and administrative authority, as well as enforcement
6 and penalty provisions. Act 173 also established a temporary \$1
7 motor vehicle tire surcharge, for deposit into a special account
8 in the environmental management special fund established by
9 section 342G-63, Hawaii Revised Statutes, for tire cleanup and
10 associated environmental assessments and remediation; however,
11 the \$1 motor vehicle tire surcharge was repealed on January 1,
12 2006.

13 The legislature further finds that discarded motor vehicle
14 tires continue to blight Hawaii's neighborhoods, particularly in
15 rural and isolated areas. With the repeal of the motor vehicle
16 tire surcharge, the department of health lost a vital source of
17 funding to promote tire recovery and prevent illegal dumping,



1 and the subsequent personnel and operating budget cuts have made
2 it difficult for the department to address this critical issue.

3 The purpose of this Act is to re-establish a \$1 motor
4 vehicle tire surcharge on all replacement tires to assist the
5 department of health in its activities regarding used tire
6 management, collection, recycling, and disposal facilities.

7 SECTION 2. Chapter 342I, part II, Hawaii Revised Statutes,
8 is amended by adding a new section to be appropriately
9 designated and to read as follows:

10 **"§342I- Motor vehicle tire surcharge.** (a) There is
11 established a motor vehicle tire surcharge on every replacement
12 tire installed on a motor vehicle in the State after
13 September 30, 2014. The motor vehicle tire surcharge shall be
14 \$1 per tire. The surcharge shall be paid by the tire retailer
15 or tire wholesaler who installs a replacement tire.

16 (b) As used in this section, "replacement tire" means any
17 tire installed on a motor vehicle as a replacement for a worn or
18 used tire."

19 SECTION 3. Section 342I-28, Hawaii Revised Statutes, is
20 amended to read as follows:

21 **"§342I-28 Tire inventory records and payment.** (a)
22 Payment of the motor vehicle tire surcharge shall be made

1 quarterly based on the tire retailer's or tire wholesaler's
2 inventory records [~~of the importers except for those importers~~
3 ~~subject to subsection (c) or (d)~~]. The dates September 30,
4 December 31, March 31, and June 30 represent the end of each
5 quarter period. All [~~importers~~] tire retailers or tire
6 wholesalers shall submit to the department documentation in
7 sufficient detail that identifies the number of tires [~~imported~~
8 ~~into~~] replaced in the State during the previous quarter.

9 (b) The amount due from the [~~importers~~] tire retailers or
10 tire wholesalers for the quarter shall be equal to the number of
11 tires [~~provided~~] replaced in subsection (a) multiplied by the
12 motor vehicle tire surcharge of \$1. Payment shall be made by
13 check or money order payable to the Department of Health, State
14 of Hawaii and shall be deposited into the environmental
15 management special fund as provided in section 342I-29. All
16 subsequent inventory reports and payments shall be made no later
17 than the last day of the month following the end of the previous
18 calendar quarter [~~, except for those importers subject to~~
19 ~~subsection (c) or (d)~~].

20 (~~c~~) ~~An importer who imports fewer than fifty tires within~~
21 ~~a one year period shall be exempt from payment of the surcharge.~~



1 ~~(d) An importer who imports fifty or more tires, but fewer~~
 2 ~~than or equal to two hundred tires, or a motor vehicle rental~~
 3 ~~company shall be permitted to provide a report and payment of~~
 4 ~~the surcharge annually, with year ending December 31]."~~

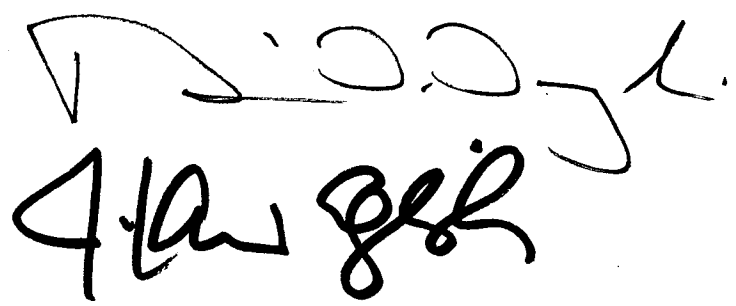
5 SECTION 4. Statutory material to be repealed is bracketed
 6 and stricken. New statutory material is underscored.

7 SECTION 5. This Act shall take effect upon its approval
 8 and shall be repealed on July 1, 2019.

9

INTRODUCED BY: 







S.B. NO. 2685

Report Title:

Motor Vehicle Tire Surcharge; Replacement Tire

Description:

Imposes a surcharge of \$1 per tire on any tire retailer or wholesaler who installs a replacement tire in the State after September 30, 2014. Repeals on 7/1/2019.

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



JAN 17 2014

A BILL FOR AN ACT

RELATING TO TIRE RETAILERS.

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

1 SECTION 1. Section 342I-21, Hawaii Revised Statutes, is
2 amended by amending the definition of "tire retailer" to read as
3 follows:

4 "Tire retailer" means any person who sells or offers to
5 sell tires to the public~~[]~~ and shall include any person who
6 sells or offers to sell tires to the public on the Internet."

7 SECTION 2. Section 342I-23, Hawaii Revised Statutes, is
8 amended by amending subsection (b) to read as follows:

9 "(b) The department of health shall produce, print, and
10 distribute the notices required by subsection (a)(2) to each
11 retailer; provided that a retailer instead may use any sign or
12 notice that meets the requirements of that subsection. In the
13 case of a tire retailer who sells or offers to sell tires on the
14 Internet, the notice required by subsection (a)(2) shall be
15 prominently displayed at the top of the webpage initiating or
16 offering the sale of tires."

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



1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: *[Signature]*

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S.B. NO. 2686

Report Title:

Tire Sales; Internet

Description:

Expands the definition of tire retailer to include individuals who sell or offer to sell tires on the Internet. Requires Internet tire retailers to post a written notice regarding motor vehicle tire disposal and recycling on the webpage initiating or offering the sale.

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