

JAN 18 2013

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 pneumatic tires are
2 manufactured according to relatively standardized processes.
3 Over one billion tires are manufactured worldwide in
4 approximately four hundred fifty tire factories. Also, there is
5 an international trade in used tires, and many used tires are
6 sold each year. Annual global tire sales are approximately
7 \$1,700,000,000. The worldwide tire market generates
8 \$140,000,000,000 per year. Almost three hundred million tires
9 are recycled each year within the United States.

10 The legislature further finds that discarded motor vehicle
11 tires continue to blight Hawaii's neighborhoods, particularly in
12 rural and isolated areas. Abandoned automobiles and tires not
13 only take away from the natural beauty of Hawaii but also may
14 contain toxic substances such as fuels, metals, oils, and
15 coolants that can end up in the ground. When it rains, these
16 substances are then flushed into waterways. Mercury is
17 particularly dangerous, even in very small quantities, because
18 when it is released to the atmosphere it returns to earth as



1 rainfall, endangering aquatic life and public health. The State
2 of Hawaii and the county of Hawaii have passed legislation
3 mandating the proper disposal and management of waste tires.

4 The legislature further finds that Act 173, Session Laws of
5 Hawaii 2000, strengthened Hawaii's motor vehicle tire recovery
6 program by providing comprehensive requirements relating to
7 registration, record keeping, and reporting with effective
8 enforcement and penalty provisions. Act 173 also established a
9 temporary \$1 motor vehicle tire surcharge.

10 The legislature further finds that Hawaii tire importers
11 are in the best position to deal with the disposal of used
12 tires.

13 SECTION 2. Section 342I-23, Hawaii Revised Statutes, is
14 amended to read as follows:

15 **"§342I-23 Motor vehicle tires; collection for recycling.**

16 (a) Each tire retailer shall:

17 (1) Accept, at the point of transfer, in a quantity at
18 least equal to the number of new motor vehicle tires
19 purchased by a customer, motor vehicle tires offered
20 by the customer.

21 (2) Post written notice which shall be at least five
22 inches by seven inches in size and easily visible to



1 customers and shall contain the universal recycling
2 symbol and the following language:

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

4 (B) "Recycle your used tires";

5 (C) "State law requires us to accept used motor
6 vehicle tires for recycling or disposal, in
7 exchange for new tires purchased"; and

8 (D) "The final price of a new tire includes disposal
9 of your old tire. The disposal fee is not
10 subject to reduction or refund."

11 (b) The department of health shall produce, print, and
12 distribute the notices required by subsection (a)(2) to each
13 retailer; provided that a retailer instead may use any sign or
14 notice that meets the requirements of that subsection.

15 (c) Any advertising pertaining to the price of motor
16 vehicle tires shall disclose whether a separate disposal fee may
17 be added to the final price of the tire and the actual cost of
18 the disposal fee.

19 (d) For businesses utilizing advertising prepared out of
20 the State a sign no smaller than three square feet, placed at
21 the point of sale stating: "The price of tires includes
22 disposal of your old tires" may be substituted.



1 (e) Motor vehicle rental companies shall be permitted to
2 provide a report and payment of the surcharge annually, with the
3 year ending December 31, rather than quarterly.

4 (f) Each tire importer shall accept, acquire, or purchase
5 used motor vehicle tires annually in an amount that is not less
6 than ninety-five per cent of the number of motor vehicle tires
7 sold annually."

8 SECTION 3. Section 342I-26, Hawaii Revised Statutes, is
9 amended by amending subsection (d) to read as follows:

10 "(d) [~~All importers~~] Each importer shall maintain records
11 reflecting the [~~importation of tires. The~~] annual number of
12 motor vehicle tires imported; the annual number of used motor
13 vehicle tires accepted, acquired, or purchased; and the ultimate
14 disposition of the used motor vehicle tires. A summary of the
15 records shall be [~~made available, upon request, for inspection~~
16 ~~by the department.~~] filed annually with the department of
17 health."

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

20 SECTION 5. This Act shall take effect upon its approval.

21

INTRODUCED BY:



S.B. NO. 566

Report Title:

Special Wastes Recycling; Used Tires; Tire Importers

Description:

Requires tire importers to accept, acquire, or purchase used tires in an annual amount that is not less than ninety-five percent of the number of new tires sold annually by the importer. Requires importers to keep records and report annually to the department of health.

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

