

Honolulu, Hawaii

MAR 21 2018

RE: H.B. No. 1800  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committees on Agriculture and Environment and Public Safety, Intergovernmental, and Military Affairs, to which was referred H.B. No. 1800, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TIRES,"

beg leave to report as follows:

The purpose and intent of this measure is to authorize each county to establish a requirement for customers to provide a number of used motor vehicle tires to the tire retailer equal to the number of new motor vehicle tires purchased, or pay a fee that is refundable upon provision of the used tires, as an incentive for tire recycling and to offset some of the expenses of used tire cleanup.

Your Committees received testimony in support of this measure from the Department of Health, Sierra Club of Hawai'i, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, and two individuals. Your Committees received testimony in opposition to this measure from the Hawaii Automobile Dealers' Association and one individual. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that improper disposal of tires is a serious environmental and health concern. Illegally dumped tires are breeding grounds for mosquitos, fire hazards, unsightly, and



costly to clean up. Your Committees support efforts to encourage proper disposal of tires; however, upon hearing testimony, your Committees believe that this measure does not properly incentivize tire recycling. Therefore, your Committees find that at this time it is best to provide support to the counties to increase enforcement and cleanup efforts of improperly disposed tires.

Your Committees further find that the motor vehicle tire surcharge of \$1 per tire was paid by tire importers until its sunset date in 2006. These surcharges were deposited into a special account in the environmental management special fund to be used for a variety of purposes, including cleanup of improper tire disposal sites. While there is no longer a revenue source for this account, the remaining balance is \$300,000. Your Committees find that the special account in the environmental management special fund should therefore be used to offset the costs to the counties to clean up improper tire disposal sites.

Accordingly, your Committees have amended this measure by:

- (1) Deleting section 2 and inserting language:
  - (A) Mandating that the counties use a portion of their respective highway beautification fee revenues for cleanup of improper tire disposal sites;
  - (B) Making an appropriation from the special account in the environmental management special fund to each of the four counties; and
  - (C) Requiring the counties to submit annual reports to the Legislature providing statistics on the number of improperly disposed tires collected;
- (2) Amending the preamble to reflect its amended purpose;
- (3) Changing the effective date to July 1, 2018; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees request that your Committee on Ways and Means give consideration to each county's population, geography, and



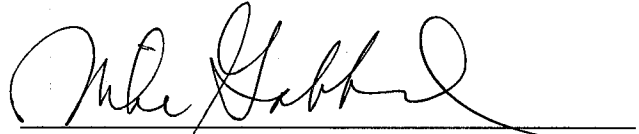
number of potential improper tire disposal sites to determine whether the appropriation made from the special account of the environmental management special fund should be allocated to the four counties as equal or pro rata shares.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1800, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1800, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committees on Agriculture and  
Environment and Public Safety,  
Intergovernmental, and Military  
Affairs,



CLARENCE K. NISHIHARA, Chair




MIKE GABBARD, Chair



The Senate  
Twenty-Ninth Legislature  
State of Hawai'i


**Record of Votes**  
**Committee on Agriculture and Environment**  
**AEN**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1800 HD 1	AEN/PSM, WAM	3/14/18		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	X			
RIVIERE, Gil (VC)	X			
NISHIHARA, Clarence K.	X			
RHOADS, Karl	X			
RUDERMAN, Russell E.				X
<b>TOTAL</b>	4	0	0	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes

The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Public Safety, Intergovernmental, and Military Affairs**  
**PSM**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB1800, HD1	AEN/PSM, WAM	3/14/18		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	/			
WAKAI, Glenn (VC)				/
BAKER, Rosalyn H.				/
IHARA, Jr., Les	/			
THIELEN, Laura H.	/			
<b>TOTAL</b>	3	-	-	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <span style="margin-left: 200px;"><input type="checkbox"/> Not Adopted</span>				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

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