



STATE OF HAWAII
DEPARTMENT OF HEALTH
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Testimony in SUPPORT of H.B. 1546
RELATING TO TIRE DISPOSAL

REPRESENTATIVE CHRIS LEE, CHAIR
HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION
Hearing Date: February 2, 2017 Room Number: 325
Time: 8:30 a.m.

1 **Fiscal Implications:** None

2 **Department Testimony:** The Department supports this measure, as it provides an added
3 incentive to purchasers to return their tires to the retailers for proper disposal.

4 This measure requires motor vehicle tire retailers to collect a \$50 tire disposal deposit for
5 each tire sold. The deposit will be refunded to the purchaser upon return to the tire retailer for
6 disposal. We note that lead-acid battery retailers and wholesalers already operate their own
7 battery deposit program without government involvement.

8 Thank you for the opportunity to testify on this measure.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, January 30, 2017 6:36 PM
To: EEPtestimony
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for HB1546 on Feb 2, 2017 08:30AM*

HB1546

Submitted on: 1/30/2017

Testimony for EEP on Feb 2, 2017 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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LATE

February 1, 2017

To: House Committee on Energy and Environmental Protection

From: Malia Hayes

Re: HB 1546 RELATING TO TIRE DISPOSAL DEPOSIT, 02-02-17 8:30AM in House conference room 325 - IN SUPPORT

Chairs & Committee Members:

Requiring motor vehicle tire retailers to collect a refundable tire disposal deposit (or any alternative that discourages tire dumping) is a great first step to address the greater problem of dumping vehicles along the road sides of Kona. I support bill number HB 1546, for the following reasons:

- Tires are extremely effective mosquito breeding sites (see attached publications). Mosquitoes need water to complete their larval stage (eggs will remain viable even after being dry for months).
- Three of the six mosquitoes in Hawaii can carry and transmit human disease and avian malaria that is detrimental to Hawaii's native birds. *Aedes aegypti* and *Ae. albopictus* may carry Zika and Dengue. *Culex quinquefasciatus* (southern house mosquito) can carry West Nile Virus.
- “Day-biting” mosquitoes, *Aedes aegypti* (yellow fever mosquito), and *Aedes albopictus* (Asian tiger mosquito) **only fly a maximum of 150 yards**. Despite the well-done “fight the bite” campaign to address the 2015 dengue fever outbreak, **this short flying range has not become common knowledge**. If it was, my (former) neighbor surely would have taken his stack of tires out of the rain, especially after getting notice of a suspect case within 200 yards of our homes.
- Tires were briefly accepted at Hawaii Island transfer stations during the dengue fever outbreak of 2015. This is no longer the case.
- I personally called Hawaii County Civil Defense and the Health Department to report abandoned tires. The very large tire (for heavy equipment) located at the Old Kona Airport Playground parking lot was particularly disturbing. It was removed with the week of my call.. There were (and still are) more tires along the roads of Kona than I had time to report and describe.
- During the dengue outbreak of 2015, there were suspect or confirmed cases within 200 yards at both my house and my mother’s house. There were confirmed cases within 200 yards of my mother-in-law’s home and my workplace.
- The only current way to dispose of a tire (while not buying a new one) is to pay for disposal. According to <http://www.hawaiiizerowaste.org/recycle/automotive/>, there are four companies on Hawaii Island that one could call to inquire about tire disposal for a fee. This is too difficult for people to accomplish.
- An illegal dumping ground mauka of my house, where many people walk and run, was recently cleaned up. Tires and an engine block (among other things) were dumped within weeks of the cleanup.

I urge the committee to continue work on this issue beyond this bill to address the tires (and abandoned vehicles) that litter the roadsides of Kona. The county of Kauai collects and recycles tires without a fee (from individuals, not businesses) <http://www.kauai.gov/Government/Departments-Agencies/Public-Works/Solid-Waste/Recycling-Programs/Tire-Recycling>. I encourage the committee to consider this approach. I would also urge the committee to consider reducing the deposit to an amount that would incentivize return of tires, but not pose an economic burden. Too high a cost may discourage timely replacement of unsafe tires.

Please also consider making a roof cover a requirement for tire storage for both government and businesses. There is an outdoor rack of many tires on display at an automotive repair shop about 350 yards from Honaunau elementary school. This is a public health hazard. A large tire sits outside the Captain Cook Fire Station, on the right side of the buildings.

This bill would ensure the number of tires on the roadsides and behind residences does not increase.

Thank you for the opportunity to submit testimony. Attached are two scientific publications for background information on mosquitoes in Hawaii and some links to pictures of tires on the roads of Kona.

Attachments:

History of Aedes Mosquitoes in Hawaii Author(s): Jonathan C. Winchester and Durrell D. Kapan, Journal of the American Mosquito Control Association, 2013.

Current and Potential Impacts of Mosquitoes and the Pathogens They Vector in the Pacific Region Dennis A. LaPointe, Pacific Island Ecosystem Research Center, U.S. Geological Survey, 2007.

Examples of tire and vehicle abandonment that pose public health risks and are unsightly. Photos taken 2/1/2016.



Tire outside Fire Station, Captain Cook.



Vehicles parked (for years) next to “Unlawful to litter” sign, adjacent to Honaunau Post Office.



Abandoned vehicles and tires along Highway 160.



SIERRA CLUB OF HAWAI'I
MĀLAMA I KA HONUA. *Cherish the Earth.*

LATE

House Committee on Energy and Environmental Protection

Thursday, February 2, 2017 8:30AM Room 325

In SUPPORT HB1546 Relating to the Tire Disposal

Aloha Chairman Lee, Vice-Chair Lowen, and members of the Energy and Environmental Protection Committee,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i offers this testimony in SUPPORT of HB1546, seeking to ensure proper disposal of tires.

The Sierra Club is committed to protecting our natural environment and the public health. Abandoned tires are a threat to the public's health and the quality of our natural environment. Stockpiling of tires have resulted in extremely toxic and hard to extinguish fires, especially in poor and disproportionately burdened communities. While some tire shops manage the disposal of tires for their customers, in situations where vehicle owners change their own tires, it is not as easy to dispose of tires.

That is why we strongly support adding a small disposal fee on the purchase of new tires to ensure that in the future there are sufficient funds for the Department of Health to enforce proper disposal — and where needed the clean up of tire dump sites — of unused tires.

The Sierra Club of Hawai'i strongly urges this Committee to pass HB1546.

Mahalo,

Marti Townsend
Director

LATE



Brian Kitagawa, President
Dave Rolf, Executive Director

HADA testimony with STRONG OPPOSITION to
HB 1546
RELATING TO TIRE DISPOSAL

Presented to the House Committee on Energy & Environmental Protection
at the public hearing to be held
8:30 Thursday, February 2, 2017
in Conference Room 325, Hawaii State Capitol

by the Members of the Hawaii Automobile Dealers Association
Hawaii's franchised new car dealers

Chair Lee, Vice Chair Lowen, and Members of the Committee:

I am David Rolf, representing the members of the Hawaii Automobile Dealers Association, Hawaii's franchised new car dealers, who have remained strong in their support of tire disposal programs that solve problems. HB 1546, while well-intended, comes with no supporting evidence of the problem that needs solving and offers a solution that could hamper commerce, and be abused by people skirting the law.

In 2003, when lax enforcement of the state laws allowed a large scrap tire pile to accumulate on Oahu, HADA joined with stakeholders to solve the problem.

Customers of vehicles and tire purchasing customers were already paying a tire disposal fee. However, tires were still allowed to accumulate in a large pile in West Oahu.

HADA dealers agreed to a "tire tax" of \$1 per tire with the understanding that the 6-year program would likely create enough funding to eliminate the pile and others within 3 years.

It did.

We asked at the time that dealers agreed to support the bill, that the tax have an early sunset after 3 years, if the problem was solved.

The House Environmental Protection committee chair Rep. Mina Morita, agreed at the time to sunset the tax early, if such was the case, and tax was indeed eliminated in 2006.

When we last checked, money remains in the special tire fund, and is available for cleanup.

The disposal fee per tire is still charged and collected by dealers.

Occasionally, some people circumvent the requirement to pay for shredding of the tires, and they dispose of them illegally.

HADA supported legislation making it a Class C felony to illegally dump hazardous waste, including scrap tires. From the County of Hawaii website, here is an overview of the penalties:

- Anyone including property owners, lessees, contractors and waste haulers may be subject to administrative, civil or criminal penalties and held responsible for property cleanup
- Illegal dumpers may be subject to enforcement action and administrative and civil penalties of up to \$10,000/day for each offense (§342H-9, HRS).
- Those who knowingly dispose of solid waste equal to or greater than one cubic yard and less than ten cubic yards are subject to criminal penalties of up to \$25,000/day for each offense (§342H-39, HRS).
- It is a class C felony offense to knowingly dispose of solid waste equal to or greater than ten cubic yards anywhere other than a permitted solid waste management system without the written approval of the Director of the Department of Health (§342H-37, HRS).
- Each day of violation is a separate offense.

Problems in this proposed legislation include an approximately 1% increase in the cost of a \$25,000 motor vehicle, if a \$50 per tire fee (times 4 tires and 1 spare,) \$250, was added to the cost of the vehicle.

Price elasticity of demand would indicate in a 1-to-1 case, that vehicle sales would commensurately drop 1%, hurting commerce in the state.

Further, no provision is made for the substantial record-keeping involved by tire retailers and new car dealers.

There is no provision addressing a situation in which a new car customer sells the vehicle through a private party sale. How then, would the tire disposal deposit be refunded?

In summary, 1) the scrap tire issue remains ill-defined 2) there is no money available for cleanup, 3) there are substantial record-keeping requirements and 4) finally, there are substantive questions about how a refund would be made.

HADA requests that committee hold this measure.

Respectfully submitted,

David H. Rolf

For the Hawaii Automobile Dealers Association

Phone: 808 593-0031 HADA office

