

---

---

# A BILL FOR AN ACT

RELATING TO BEVERAGE CONTAINERS.

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

1           SECTION 1. Section 342G-104, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3           "(b) Moneys in the deposit beverage container deposit  
4 special fund shall be used to reimburse refund values and pay  
5 handling fees to redemption centers. The department may also  
6 use the money to:

- 7           (1) Fund administrative, audit, and compliance activities  
8                 associated with collection and payment of the deposits  
9                 and handling fees of the deposit beverage container  
10                program;
- 11           (2) Conduct recycling education and demonstration  
12                projects;
- 13           (3) Promote recyclable market development activities;
- 14           (4) Support the handling and transportation of the deposit  
15                beverage containers to end-markets;



1 (5) Hire personnel to oversee the implementation of the  
2 deposit beverage container program, including  
3 permitting and enforcement activities; [and]

4 (6) Provide grants to deploy reverse vending machines in  
5 the State; and

6 [~~6~~] (7) Fund associated office expenses."

7 SECTION 2. (a) The department of health shall establish a  
8 reverse vending machine pilot program to provide grants to  
9 deploy reverse vending machines in the State.

10 (b) The department of health shall adopt rules pursuant to  
11 chapter 91, Hawaii Revised Statutes, to establish standards for  
12 the distribution of grants to deploy reverse vending machines  
13 under the reverse vending machine pilot program.

14 SECTION 3. Section 342G-113, Hawaii Revised Statutes, is  
15 amended to read as follows:

16 **"§342G-113 Redemption of empty deposit beverage**

17 **containers.** (a) [~~Except as provided in subsection (b), a~~] A  
18 dealer shall:

19 (1) Operate a redemption center by July 1, 2005, and shall  
20 accept all types of empty deposit beverage containers



1 with a Hawaii refund value[+] of the kind, size, and  
2 brand sold by the dealer;

3 (2) Pay to the redeemer the full refund value for all  
4 deposit beverage containers that bear a valid Hawaii  
5 refund value; and

6 (3) Ensure each deposit beverage container collected is  
7 recycled, and forward documentation necessary to  
8 support claims for payment as stated in section  
9 342G-119 or rules adopted under this part.

10 (b) Subsection (a) shall not apply to any dealer:

11 [~~(1)~~] ~~Who is located in a high density population area as~~  
12 ~~defined by the director in rules, and within two miles~~  
13 ~~of a certified redemption center that is operated~~  
14 ~~independently of a dealer;~~

15 ~~(2)]~~ (1) Who is located in a rural area as defined by  
16 rule;

17 [~~(3)~~] (2) Who subcontracts with a certified redemption  
18 center to be operated on the dealer's premises;

19 [~~(4)~~] (3) Whose sales of deposit beverage containers are  
20 only via vending machines; or



1       ~~[-(5)]~~ (4) Whose place of business is less than [~~five~~  
2           ~~thousand]~~ \_\_\_\_\_ square feet of interior space[~~+~~  
3       ~~-(6)~~ Who can demonstrate physical or financial hardship, or  
4           ~~both, based on specific criteria established by rule,~~  
5           ~~or~~  
6       ~~-(7)~~ Who meets other criteria established by the director].

7       ~~[Notwithstanding paragraphs (1) and (2), the]~~

8       (c) The director may allow the placement of redemption  
9       centers at greater than prescribed distances to accommodate  
10       geographical features while ensuring adequate consumer  
11       convenience.

12       ~~[-(e)]~~ (d) Regardless of the square footage of a dealer's  
13       place of business, dealers who are not redemption centers shall  
14       post a clear and conspicuous sign at the primary public entrance  
15       of the dealer's place of business that specifies the name,  
16       address, and hours of operation of the closest redemption center  
17       locations.

18       ~~[-(d)]~~ If there is no redemption center within the two-mile  
19       radius of a dealer due to the criteria described in subsection  
20       ~~-(b), then the respective county and the State shall determine~~  
21       ~~the need for a redemption center in that area. If a redemption~~



1 ~~center is deemed necessary, then the State, with assistance from~~  
2 ~~the county, shall establish the redemption center with funding~~  
3 ~~from the deposit beverage container deposit special fund.]~~

4 (e) Regional centers for the redemption of refillable  
5 beverage containers may be established in addition to, but not  
6 as substitutes for, the means established for the redemption of  
7 empty deposit beverage containers prescribed in subsection (a).

8 ~~[+e)]~~ (f) Businesses that sell deposit beverages for on-  
9 premises consumption, such as hotels, bars, and restaurants,  
10 shall collect used deposit beverage containers from the patron  
11 and either use a certified redemption center for the collection  
12 of containers or become a certified redemption center."

13 SECTION 4. Statutory material to be repealed is bracketed  
14 and stricken. New statutory material is underscored.

15 SECTION 5. This Act shall take effect on July 1, 3000.



**Report Title:**

Beverage Dealers; Redemption Centers; Refillable Beverage Containers; Regional Centers; Reverse Vending Machine Pilot Program; Department of Health; Grants

**Description:**

Allows for the establishment of additional regional centers for the redemption of refillable beverage containers. Repeals certain exemptions for beverage dealers from the requirement to operate redemption centers and amends the types of containers they must accept for redemption. Requires the Department of Health to establish a reverse vending machine pilot program to use the deposit beverage container deposit special fund to provide grants to deploy reverse vending machines. Effective 7/1/3000. (HD1)

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

