

ACT 244

H.B. NO. 1276

A Bill for an Act Relating to Lead Acid Battery Recycling.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that, while the existing lead acid battery recycling laws have achieved a high rate of recovery of lead acid batteries, there are certain segments of the lead acid battery waste stream that are not being handled properly. Those batteries, discarded by residents who work on cars at their homes or small repair businesses, are regularly dumped on back roads or, at best, left at municipal landfills, transfer stations, or convenience centers. While these batteries represent only a small fraction of the total number of batteries disposed of in the State each year, their hazardous nature and difficulty in handling pose a significant problem to county solid waste operations.

The purpose of this Act is to encourage residents to properly dispose of used batteries.

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

“~~[[~~§342I-2~~]]~~ **Lead acid batteries; collection for recycling.** A person selling lead acid batteries at retail or offering lead acid batteries for retail sale in the State shall:

- (1) Accept, at the point of transfer, in a quantity at least equal to the number of new batteries purchased, used lead acid batteries from customers, if offered by customers; and
- (2) Post written notice [which must] that shall be at least five inches by seven inches in size and [must] shall contain the universal recycling symbol and the following language:
 - [(i)] (A) “It is illegal to discard a motor vehicle battery or other lead acid battery”;
 - [(ii)] (B) “Recycle your used batteries”; [and]
 - [(iii)] (C) “State law requires us to accept used motor vehicle batteries or other lead acid batteries for recycling, in exchange for new batteries purchased”[.]; and
 - (D) “The price of a new battery includes disposal of your old battery”.
- (3) Any advertising pertaining to the price of lead acid batteries shall include the statement “The price includes disposal of your old battery”.
- (4) For businesses utilizing advertising prepared out of the State a sign no smaller than 3 square feet, placed at the point of sale stating: “The price of the battery includes disposal of your old battery” may be substituted.”

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved June 18, 1993.)