

JAN 25 2012

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 Act 173, Session
2 Laws of Hawaii 2000, strengthened Hawaii's motor vehicle tire
3 recovery program by providing comprehensive requirements related
4 to registration and reporting, tire inventory records and
5 payment, and administrative authority, as well as enforcement
6 and penalty provisions. Act 173 also established a temporary \$1
7 motor vehicle tire surcharge, for deposit into a special account
8 in the environmental management special fund established by
9 section 342G-63, Hawaii Revised Statutes, for tire cleanup and
10 associated environmental assessments and remediation. The \$1
11 motor surcharge was repealed on January 1, 2006.

12 The legislature further finds that discarded motor vehicle
13 tires continue to blight Hawaii's neighborhoods, particularly in
14 rural and isolated areas. With the repeal of the motor vehicle
15 tire surcharge, the department of health lost a vital source of
16 funding to promote tire recovery and prevent illegal dumping,
17 and the subsequent personnel and operating budget cuts have made
18 it difficult for the department to address this critical issue.



1 The purpose of this Act is to reestablish the \$1 motor
2 vehicle tire surcharge to assist the department of health in its
3 permitting, monitoring, and enforcement activities regarding
4 used tire management, collection, recycling, and disposal
5 facilities.

6 SECTION 2. Chapter 342I, part II, Hawaii Revised Statutes,
7 is amended by adding a new section to be appropriately
8 designated and to read as follows:

9 "§342I- Motor vehicle tire surcharge. (a) There is
10 established a motor vehicle tire surcharge on tires imported
11 into the State after September 30, 2012. The motor vehicle tire
12 surcharge shall be \$1 per tire imported into the State and shall
13 include those tires imported on motor vehicles, and their
14 associated spare tires. Motor vehicle rental companies and
15 companies that sell vehicles to motor vehicle rental companies
16 may subtract the number of tires on motor vehicles that are
17 exported from the State when calculating the motor vehicle tire
18 surcharge. Upon approval of the director of health, a motor
19 vehicle rental company that purchases new motor vehicles, within
20 the State, may be designated as the importer of motor vehicles.
21 No demand shall be made on the State for payment of surcharge



1 credit if the number of exported motor vehicles exceeds the
2 number of imported motor vehicles in any reporting period.

3 (b) Beginning January 1, 2013, the surcharge shall be paid
4 by the person or entity who imports the tires, including
5 importers of motor vehicles, within ninety days after receiving
6 the tires imported into the State."

7 SECTION 3. New statutory material is underscored.

8 SECTION 4. This Act shall take effect on July 1, 2012.

9

INTRODUCED BY: _____



S.B. NO. 3006

Report Title:

Used Motor Vehicle Tire Recovery; Surcharge

Description:

Reestablishes the \$1 motor vehicle tire surcharge to assist the department of health in its permitting, monitoring, and enforcement activities regarding used tire management, collection, recycling, and disposal facilities; requires the surcharge to be paid within ninety days after the importer receives the tires.

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