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# 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 improper disposal of  
2 used motor vehicle tires poses a threat to human health and  
3 safety and pollutes the environment. Tires that are disposed of  
4 improperly are an ideal breeding ground for mosquitos, which are  
5 vectors for many infectious diseases like dengue fever, zika  
6 virus, west nile virus, and chikungunya. Tires are a fire  
7 hazard, are unsightly, and are costly to clean up when they are  
8 abandoned or illegally dumped. While current law requires tire  
9 retailers to accept used tires for recycling and authorizes  
10 retailers to charge a disposal fee for each new tire purchased,  
11 there is no incentive for customers to turn over used tires so  
12 they may be recycled.

13           The legislature further finds that other jurisdictions have  
14 addressed the issue of customers failing to turn over used tires  
15 to tire retailers by requiring that retailers charge a fee for  
16 each used tire not turned over. In these jurisdictions,  
17 customers who bring in a used tire for recycling by an

1 established deadline are entitled to a refund of the fee.  
2 Amounts retained past the deadline for used tires not turned  
3 over are then remitted to the local government agency to address  
4 tire management and cleanup.

5 The purpose of this Act is to authorize each county, at its  
6 discretion, to adopt a similar program to create better  
7 incentives for tire recycling and to offset some of the expenses  
8 of used tire cleanup.

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

12 "§342I- Used motor vehicle tires exchange; county  
13 authority. (a) Each county may require customers to provide an  
14 equal number of used motor vehicle tires to the tire retailer as  
15 the number of new motor vehicle tires purchased. A county  
16 electing to establish this requirement shall do so by ordinance;  
17 provided that:

18 (1) A customer who, on the date of purchase or  
19 installation, does not provide an equal number of used  
20 motor vehicle tires to the tire retailer as the number  
21 of new motor vehicle tires purchased by the customer



1           shall be charged a refundable fee by the tire retailer  
2           of not more than \$            per tire;  
3       (2) No refundable fee established by the ordinance shall  
4           be assessed and collected from a customer who, on the  
5           day of the tire purchase or installation, provides an  
6           equal number of used motor vehicle tires to the tire  
7           retailer as the number of new motor vehicle tires  
8           purchased by the customer;  
9       (3) A customer charged a refundable fee pursuant to  
10           paragraph (1) shall have thirty days to provide those  
11           used motor vehicle tires to the tire retailer and  
12           claim a refund of the refundable fee;  
13       (4) Each county may authorize a tire retailer to retain up  
14           to            per cent of the refundable fee amount  
15           assessed and collected but not claimed pursuant to  
16           paragraphs (1) and (3) after thirty days;  
17       (5) Refundable fees retained by a tire retailer after  
18           thirty days in excess of the amount established by  
19           paragraph (4) shall be remitted to the county and  
20           deposited into a fund established by the county to



1 receive revenues from the refundable fee and expended  
2 for used tire management, cleanup, and disposal; and

3 (6) The refundable fee shall be in addition to any  
4 disposal fee charged by a tire retailer.

5 (b) A county electing to exercise the authority granted  
6 under this section shall notify the director of health within  
7 ten days after the county has adopted the requirements  
8 authorized by subsection (a)."

9 SECTION 3. New statutory material is underscored.

10 SECTION 4. This Act shall take effect on January 28, 2045.



**Report Title:**

Motor Vehicle Tires; Recycling; County Authority; Refundable Fee

**Description:**

Authorizes each county to establish a requirement for customers to provide an equal number of used motor vehicle tires to the tire retailer as the number of new motor vehicle tires purchased, or pay a fee that shall be refundable upon provision of the used tires. (HB1800 HD1)

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

