

SENATE BILL REPORT

ESHB 3054

As Reported By Senate Committee On:
Highways & Transportation, March 1, 2004

Title: An act relating to vehicle tires.

Brief Description: Restoring the vehicle tire fee.

Sponsors: House Committee on Transportation (originally sponsored by Representatives G. Simpson, Skinner, Hankins, Wood, Rockefeller, Clibborn, Hatfield, Clements, Armstrong and Delvin).

Brief History:

Committee Activity: Highways & Transportation: 2/24/04, 3/1/04 [DPA].

SENATE COMMITTEE ON HIGHWAYS & TRANSPORTATION

Majority Report: Do pass as amended.

Signed by Senators Horn, Chair; Swecker, Vice Chair; Esser, Haugen, Kastama, Mulliken, Murray, Oke, Poulsen and Spanel.

Staff: Greg Doss (786-7341)

Background: A \$1 fee was assessed on the retail sale of each new vehicle replacement tire sold from October 1989 until September 1994. The fee was collected by the tire seller, who was entitled to retain 10 percent of all fees collected. Revenue generated by the fee was authorized to be used to fund state and local efforts to remove discarded tires from unauthorized dump sites, to fund local enforcement, to fund local pilot projects for on-site tire shredding, to implement a public education program, to produce marketing studies on tire recycling, and to fund a tire study. In 2002, the Legislature enacted a requirement that the Department of Ecology (DOE) track and report the annual and cumulative increases and decreases in the state's tire recycling rates.

Individuals who engage in the business of transporting or storing waste tires must be licensed by DOE. A violation of this licensing requirement is punishable as a gross misdemeanor.

Summary of Amended Bill: The striking amendment establishes the Used Tire Management Council. By July 1, 2004 the Department of Ecology must convene a stakeholder group representing various tire interests, including both retail and disposal interests; auto wreckers, counties, cities, DOE and WSDOT. The group must complete and submit by December 1, 2004 a report that identifies locations of used tire piles, recommendation and costs of cleaning up tire plies and recommendations on the best ways to cost effectively maximize the reuse, recycling or processing of used tires.

Amended Bill Compared to Substitute Bill: The original bill reinstated a \$1 per tire fee on the retail sale of new tires and expanded the fee to include used tire sales. The bill created the

Vehicle Tire Recycling Account (VTRA) to receive 65 cents of every dollar collected. The Motor Vehicle Account received most of the remaining revenue. Funds from the VTRA would be provided as grants to local governments for the identification and clean up of tire piles. Funds provided to the Motor Vehicle Account would be used for highway maintenance.

Appropriation: The sum of \$45,000 is appropriated from the multimodal account to DOE for the purposes of this act.

Fiscal Note: Available on original bill.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Tire piles are a hazard to the environment and human health. Reenacting the \$1 fee will provide needed funding to local governments to clean up existing tire piles.

Testimony Against: The previous fee (1989 to 1994) paid for cleanup of some tire piles, but did not provide an ongoing solution to the policy problem. Before reenacting the tire fee, a workgroup of industry representatives and technical experts should work to find solutions to the tire pile problem. The workgroup should determine methods for tracking tires and innovative techniques for disposal or recycling.

Testified: Pat Dunn, Les Schwab (con); Richard Noadness, Northwest Tire Dealers Assoc. (con); Dean Large, Waste Connections, Inc. (con); Joeseeph Henkins and Jim Penor, Northwest Tire Recyclers (pro); Cullen Stephenson, Department of Ecology; Vicki Kirkpatrick, WSAC (concerns); Gary Smith, I.B.A (con).