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HOUSE BILL 3054

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State of Washington

58th Legislature

2004 Regular Session

By Representatives Simpson, G., Skinner, Hankins, Wood, Rockefeller, Clibborn, Hatfield, Clements, Armstrong and Delvin

Read first time 01/27/2004. Referred to Committee on Transportation.

1 AN ACT Relating to vehicle tires; amending RCW 70.95.510,  
2 70.95.530, and 70.95.535; and adding a new section to chapter 70.95  
3 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 70.95.510 and 1989 c 431 s 92 are each amended to read  
6 as follows:

7 (1) There is levied a one dollar per tire fee on the retail sale of  
8 new replacement vehicle tires (~~for a period of five years, beginning~~  
9 ~~October 1, 1989~~). The fee imposed in this section shall be paid by  
10 the buyer to the seller, and each seller shall collect from the buyer  
11 the full amount of the fee. The fee collected from the buyer by the  
12 seller (~~less the ten percent amount retained by the seller as provided~~  
13 ~~in RCW 70.95.535 shall~~) must be paid to the department of revenue in  
14 accordance with RCW 82.32.045, and the proceeds remaining after the  
15 deposit required by subsections (3) and (4) of this section, must be  
16 deposited into the vehicle tire recycling account created under section  
17 2 of this act. All other applicable provisions of chapter 82.32 RCW  
18 have full force and application with respect to the fee imposed under  
19 this section. The department of revenue shall administer this section.

1       (2) For the purposes of this section, "new replacement vehicle  
2 tires" means tires that are newly manufactured for vehicle purposes and  
3 used tires available for resale, but does not include retreaded vehicle  
4 tires.

5       (3) Of the one-dollar fee imposed in subsection (1) of this  
6 section, thirty cents must be deposited into the motor vehicle account  
7 and must be used by the department of transportation for road  
8 maintenance, which must incorporate the use of material derived from  
9 scrap tires.

10       (4) Of the one-dollar fee imposed in subsection (1) of this  
11 section, three cents must be deposited into the state patrol highway  
12 account and must be used by the state patrol for business inspection  
13 and enforcement activities under RCW 46.55.230, 46.79.090, 46.80.150,  
14 and 47.41.070.

15       NEW SECTION. Sec. 2. A new section is added to chapter 70.95 RCW  
16 to read as follows:

17       The vehicle tire recycling account is created within the state  
18 treasury. After the deposit of funds into the motor vehicle account as  
19 provided for in RCW 70.95.510(3) and the state patrol highway account  
20 as provided for in RCW 70.95.510(4), the remaining funds received under  
21 RCW 70.95.510(1) must be deposited into the vehicle tire recycling  
22 account and used by the department of ecology for purposes including  
23 but not limited to those specified in RCW 70.95.535. The department of  
24 revenue shall deduct two percent from the funds collected under RCW  
25 70.95.510 for the purpose of administering and collecting the fee from  
26 new replacement tire retailers.

27       Sec. 3. RCW 70.95.530 and 1988 c 250 s 1 are each amended to read  
28 as follows:

29       Moneys in the vehicle tire recycling account may be appropriated to  
30 the department of ecology for the following purposes:

31       (1) To provide ~~((for))~~ funding to state and local governments for  
32 the removal of discarded vehicle tires from ~~((unauthorized))~~ illegal  
33 tire ~~((dump sites))~~ piles;

34       (2) To ~~((accomplish the other purposes of RCW 70.95.020(5)); and~~

35       ~~((3) To fund the study authorized in section 2, chapter 250, Laws of~~  
36 1988)) support the programs provided for in RCW 70.95.535(2).

1 In spending funds in the account under this section, the department  
2 of ecology shall identify communities with the most severe problems  
3 with waste tires and prioritize sites with greater than one thousand  
4 waste tires. The department shall provide funds first to those  
5 ~~((communities))~~ counties with high-priority sites to remove  
6 accumulations of waste tires.

7 **Sec. 4.** RCW 70.95.535 and 1989 c 431 s 93 are each amended to read  
8 as follows:

9 (1) Every person engaged in making retail sales of new replacement  
10 vehicle tires in this state ~~((shall retain ten percent of the~~  
11 ~~collected))~~ may collect a service fee that is separate from the one-  
12 dollar fee collected under RCW 70.95.510. The moneys ~~((retained may))~~  
13 from the service fee must be used for costs associated with the proper  
14 management of the waste vehicle tires by the retailer.

15 (2) The department of ecology will administer the funds contained  
16 in the vehicle tire recycling account for ~~((the))~~ purposes ~~((specified~~  
17 ~~in RCW 70.95.020(5))~~) including, but not limited to:

18 ~~((Making grants to local governments for pilot demonstration~~  
19 ~~projects for on-site shredding and recycling of tires from unauthorized~~  
20 ~~dump sites;~~

21 ~~((b))~~) Competitive grants to ((local)) county governments for  
22 removal of illegal waste tire piles and enforcement programs;

23 ~~((c))~~) (b) Implementation of a public information and education  
24 program to include posters, signs, and informational materials to be  
25 distributed to retail tire sales and tire service outlets;

26 ~~((d))~~) (c) Product marketing studies for recycled tires and  
27 alternatives to land disposal;

28 (d) Scrap tire demonstration projects including those implemented  
29 by state agencies;

30 (e) Statewide illegal tire pile cleanups, as provided for in RCW  
31 70.95.530, and local citizen scrap tire amnesty events;

32 (f) Statewide tire carrier tracking, reporting, and enforcement of  
33 the movement of tires within this state.

34 (3) No less than twenty-three percent of the funds contained in the  
35 vehicle tire recycling account must be awarded to county governments  
36 for removal of illegal waste tire piles.

1       (4) County governments that are recipients of the enforcement  
2 program grant funding must submit an annual report to the department of  
3 ecology for each year the grant funding is expended, detailing the uses  
4 of the funds and including information on what enforcement activities  
5 were supported with the grant funds.

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