

ARKANSAS SENATE
94th General Assembly - Regular Session, 2023
Amendment Form

Subtitle of Senate Bill No. 508

TO AMEND THE USED TIRE RECYCLING AND ACCOUNTABILITY ACT; TO REPEAL RIM REMOVAL FEES AND IMPOSE A TIRE RECYCLING FEE; TO ESTABLISH TIRE ACCOUNTABILITY ZONES; TO TRANSFER REIMBURSEMENT AUTHORITY; AND TO DECLARE AN EMERGENCY.

Amendment No. 1 to Senate Bill 508

Amend Senate Bill No. 508 as originally introduced:

Page 5, line 20, delete "generators, tire transporters," and substitute "generators,~~tire transporters,~~"

AND

Page 5, delete line 23, and substitute the following:

"SECTION 12. Arkansas Code § 8-9-402(17)(B)(iii), concerning the definition of "tire generator", is repealed.

~~(iii) A tire transporter;~~

SECTION 13. Arkansas Code § 8-9-402(21), concerning the definition of "tire transporter", is repealed.

~~(21) "Tire transporter" means a person who is in the business of or receives compensation for transferring used tires from one (1) location to another location for collection, storage, processing, recycling, disposal, reuse, or resale;~~

SECTION 14. Arkansas Code § 8-9-402(22)(B), concerning the definition"

AND

Page 5, delete line 28 and 29, and substitute the following:

"SECTION 15. Arkansas Code § 8-9-402(23) and (24), concerning the definitions of "used tire culled for resale" and of "used tire program", are amended to read as follows:

(23) "Used tire culled for resale" means a tire that is removed from the rim but is diverted from a tire collection center, or tire processing facility, ~~or tire transporter~~ with the intention of selling for reuse;"



AND

Page 7, line 36, delete "Arkansas and to" and substitute "Arkansas."

AND

Page 8, delete line 1

AND

Page 10, line 14, delete "exclusive"

AND

Page 13, line 31, delete "generator, tire generator, or tire wholesaler" and substitute "generator or tire generator"

AND

Page 18, line 7, delete "waste"

AND

Page 19, line 12, delete "Cross, Crittenden, Garland, and Hot Springs" and substitute "Cross, and Crittenden"

AND

Page 19, line 15, delete "Union, and" and substitute "Union, Garland, Hot Spring, and"

AND

Page 19, line 23, delete "Seven (7)" and substitute "Five (5)"

AND

Delete SECTION 21 in its entirety, and substitute the following:

"SECTION 21. Arkansas Code § 8-9-411 is repealed.

~~8-9-411. Tire transporters—Licenses.~~

~~(a) A tire transporter shall meet the following requirements to perform or be compensated for any duties under this subchapter related to the administration and operation of a used tire program:~~

~~(1) Obtain for each vehicle a license;~~

~~(2) Obtain for each vehicle a tire transporter number provided by the Division of Environmental Quality used for the electronic uniform used tire manifest system;~~

~~(3) Provide proof that each vehicle has passed an annual safety inspection;~~

~~(4) Provide proof of financial responsibility for each vehicle and authorized driver;~~

~~(5) Provide a bond in the amount of ten thousand dollars (\$10,000);~~

~~(6) Establish that each authorized driver has completed training for the electronic uniform used tire manifest system; and~~

~~(7) Pay a fee of fifty dollars (\$50.00) for each vehicle that is licensed.~~

~~(b) For each tire transporter licensed under this section, the division shall assign a tire transporter number and include the tire transporter information in the electronic uniform used tire manifest system.~~

~~(c)(1) If a tire transporter is found to have not complied with this subchapter, the tire transporter's license shall be suspended for three (3) months.~~

~~(2) If the license of a tire transporter is suspended more than one (1) time in three (3) years, the tire transporter's license shall be revoked and the tire transporter is ineligible for a tire transporter license for three (3) years."~~

AND

Page 21, delete lines 26 through 29, and substitute the following:

"SECTION 24. Arkansas Code § 8-9-414(b)(1) through (3), concerning the powers and duties of the Arkansas Pollution Control and Ecology Commission, are amended to read as follows:

~~(1)(A) Except as provided under subdivision (b)(1)(B) of this section, provide~~ Provide for the administration of permits for tire processing facilities, tire collection centers, commercial generators, and any other person or entity that collects, receives, processes, recycles, or disposes of ~~used~~ waste tires regulated under this subchapter with the maximum permit fee not to exceed two hundred fifty dollars (\$250) annually.

~~(B) The maximum permit fee under this subdivision (b)(1) shall not apply to tire transporters;~~

~~(2) Establish standards for tire processing facilities, tire collection centers, tire transporters, and beneficial use projects;~~

~~(3) Establish procedures for administering reimbursements to used tire programs under § 8-9-405;"~~

AND

Page 22, delete lines 7 through 14, and substitute the following:

~~"(1) Develop an alternative tire transporter licensing program to be administered by used tire programs, regional solid waste management boards, or both;~~

~~(2) Promulgate rules that are necessary to administer the fees and reimbursement rates for services provided under this subchapter by the used waste tire programs; and~~

~~(3)(2) Clarify and add definitions for sizes of tires using technical information and specifications."~~

AND

Page 22, delete line 16, and substitute the following:

"SECTION 27. The introductory language of Arkansas Code § 8-9-415(a), concerning requirements on a person receiving funding under the Used Tire Recycling and Accountability Act, is amended to read as follows:

(a) A person who receives funding under this subchapter, tire collection centers, tire retailers, tire processing facilities, ~~tire transporters~~, tire generators, commercial generators, ~~used~~ tires regulated under this subchapter, and waste tire sites are subject to:

SECTION 28. Arkansas Code § 8-9-415(b) and (c), concerning"

AND

Appropriately renumber the sections of the bill

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator J. Payton

CRH/CRH - 03-29-2023 14:16:56

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Secretary