

# Department of Finance and Administration

## Legislative Impact Statement

**Bill: HB1902**

**Bill Subtitle: TO AMEND THE USED TIRE RECYCLING AND ACCOUNTABILITY ACT; AND TO AMEND PROVISIONS OF THE ARKANSAS SOLID WASTE MANAGEMENT LAW.**

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### **Basic Change :**

**Sponsor: Rep Ladyman**

This bill amends the Used Tire Recycling and Accountability Act and provisions of the Arkansas Solid Waste Management Law.

The bill would remove the required quarterly inspection requirement of solid waste facilities and allows the submission of used tire data that is manifested by secondarily allowing the submission to be paper documentation versus electronic submission, the primary method for submission of data and management of the used tire manifest system. The proposal amends the definition of "extra-large tire" removing the rim width requirement of greater than 19 inches, including without limitation a wide base tire or extra wide single tire while retaining the load rating requirement of "F" or higher. Definitions of "large tire" and "small tire" are also amended removing the width requirements and replacing the classification designation using load ratings as the determining factor. The bill adds definitions for "operator" and "owner" to the Used Tire Recycling and Accountability Act. The bill would require a tire retailer to account for each tire removed from a rim in the manner prescribed by the Department of Finance and Administration. A person who imports a used tire must be registered with the Department of Finance and Administration and comply with all requirements related to collecting and reporting import fees.

The act would be effective 90 days after final adjournment of the 92<sup>nd</sup> General Assembly.

### **Revenue Impact :**

No anticipated impact on state revenues.

### **Taxpayer Impact :**

Tire retailers, used tire dealers, tire importers, tire districts and solid waste districts would administer the tire recycling program in conformity with the technical changes provided in the bill.

### **Resources Required :**

None.

### **Time Required :**

Adequate time is allowed for implementation.

### **Procedural Changes :**

Forms and definitions will have to updated to reflect the changes.

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### Other Comments :

None.

### Legal Analysis :

HB1902 amends Title 8, Chapter 6, Subchapter 207. The bill clarifies the inspection powers and duties of the ADEQ and amends the definitions to provide for primary and secondary uses of the "electronic uniform used tire manifest system". The bill also amends the definition of "extra-large tire" to include wide-base or extra-wide single tires and the definition of "large tire" to include all tires with a load rating of "F" or higher. Section 5 amends the definition of "small tire" under § 8-9-402(12) to include all tires with a rating lower than "F". Section 7 adds additional definitions to § 8-9-402.

The bill removes language requiring tire retailers to account for removed tires using the electronic uniform used tire manifest system and instead using the manner prescribed by DFA. The bill also provides that used tire importers shall be registered with DFA and follow its requirements related to collecting and reporting import fees. The bill cleans up references to the existing registration of unregistered entities who were required to register with DFA in previous enactments.

The bill removes used tire reimbursement funding levels and priorities and provides that funding for reimbursement for processing, recycling, or disposing of used tires at the business plan rate. The bill removes the provision for reimbursements of up to twenty-five thousand dollars (\$25,000) for inter-district used tire programs in districts serving fewer than four-hundred thousand (400,000) people.

The bill has no emergency clause and would therefore have an effective date of the 91st day after the adjournment sine die of the General Assembly.