



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

94th Arkansas General Assembly/Tires: Legislation Introduced to Amend Used Tire Recycling and Accountability Act

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Senate Bill 508 ("SB 508") has been introduced which would amend various aspects of the Used Tire Recycling and Accountability Act ("Tire Act").

SB 508 was introduced by Senator J. Payton.

The Arkansas General Assembly enacted legislation a number of years ago whose purpose is to ensure the appropriate management of waste tires in Arkansas. Amendments have been made to the original legislation including an extensive rewrite that created the Tire Act.

Both the Arkansas Department of Energy & Environment – Division of Environmental Quality ("DEQ") and the Arkansas Regional Solid Waste Management Districts have traditionally played an extensive role in the program. For example, DEQ has had in place regulations requiring permits for certain used tire collection, process, and disposal activities. In addition, the agency issues licenses to operate used tire processing facilities and used tire transporters. The existing legislation also imposes certain fees which are used to:

- Reimburse used tire programs for used tire recycling disposal costs.
- Incentivize recycling used tires collected.

An example are the rim removal fees charged on the removal of a tire from a rim that is related to the sale of a replacement tire by a tire retailer. The fee is \$3.00 if the replacement tire is new and \$1.00 if the replacement tire is used.

An electronic used tire manifest system has also been in place addressing the collection, transportation, distribution, and recycling, disposal, resale of each recyclable tire, waste tire, and used tire for resale.

Key changes to the Tire Act that would be made by SB 508 include:

- Transfer of certain duties from DEQ to the Arkansas Department of Finance and Administration ("DF&A")
- Repeal of the rim removal fee and imposition of a tire recycling fee
- Establishment of tire accountability zones
- Transfer of reimbursement authority

The tire recycling fee would consist of \$3.00 imposed on each new small tire sold by a tire retailer in Arkansas. The tire retailer would be allowed to charge a fee up to 10% over the tire recycling fee for each new small tire sold and retain the excess to cover administrative cost. Further, the tire retailer would be required to obtain a tire recycling account number from DF&A and remit the tire recycling fees collected on a monthly basis.

A similar system would be set up for large or extra-large tires except the fee would be \$7.50 and \$30, respectively.

The bill would provide for the creation of four tire accountability zones (“TAZs”) in the state. They would be governed by a board that would include County Judges and Mayors from the respective zone. The TAZs would be required to submit a business plan to DEQ for approval.

SB 508 has been referred to the Public Health, Welfare and Labor Committee.

A copy of SB 508 can be downloaded [here](#).