

SB289_L.003

SENATE COMMITTEE OF REFERENCE REPORT

 Chairman of Committee

 Date
Committee on Local Government and Energy.

After consideration on the merits, the Committee recommends the following:

SB09-289 be amended as follows:

- 1 Amend printed bill, page 2, strike lines 2 through 16.
- 2 Strike page 3.
- 3 Page 4, strike lines 1 through 11.
- 4 Renumber succeeding sections accordingly.
- 5 Page 4, line 13, strike "(b)" and substitute "(b), (2) (a),";
- 6 strike lines 23 through 27 and substitute the following:
 - 7 "weighing more than fifteen thousand pounds; except that no fee shall be
 - 8 collected for tires that are recapped or otherwise reprocessed for use. The
 - 9 ~~fee authorized by this section shall be collected only at such time as the~~
 - 10 ~~owner of the tire delivers or transfers the waste tire to a retailer of new~~
 - 11 ~~tires for disposal and shall be stated and shown as a separate and distinct".~~
- 12 Page 5, strike line 1 and substitute the following:
 - 13 ~~"item on the statement~~ THE RECEIPT from the retailer to the customer FOR
 - 14 EVERY NEW MOTOR VEHICLE TIRE SOLD IN COLORADO SHALL CONTAIN THE
 - 15 FOLLOWING STATEMENT IN NO LESS THAN FIFTEEN-POINT, BOLD-FACED
 - 16 TYPE: "SECTION 25-17-202, COLORADO REVISED STATUTES, REQUIRES
 - 17 RETAILERS TO COLLECT A \$1.50 WASTE TIRE RECYCLING DEVELOPMENT
 - 18 FEE ON THE SALE OF EACH NEW MOTOR VEHICLE TIRE.";



1 after line 25 insert the following:

2 "(2) (a) ~~The Retailers of new MOTOR VEHICLE tires or a retailer of~~
3 ~~motor vehicles that accepts exchanged property as described in section~~
4 ~~39-26-102 (7) (a) (II), C.R.S., shall collect the fee."~~;

5 Page 6, strike lines 1 through 8 and substitute the following:

6 "THE DEPARTMENT OF REVENUE SHALL NOTIFY RETAILERS OF NEW MOTOR
7 VEHICLE TIRES CONCERNING THE NEW REQUIREMENTS IN THIS SECTION
8 ENACTED BY SENATE BILL 09-289, ENACTED IN 2009.";

9 line 13, after "**plan**", insert "**- definition**";

10 strike lines 23 through 27.

11 Page 7, strike lines 1 through 17 and substitute the following:

12 "(5) FOR PURPOSES OF THIS SECTION, "MONOFILL TIRE LANDFILL"
13 MEANS A "WASTE TIRE MONOFILL" AS DEFINED IN SECTION 30-20-1001.

14 **SECTION 4.** 25-17-204 (3) (a) (II), Colorado Revised Statutes,
15 is amended to read:

16 **25-17-204. Waste tire haulers - registration - rules - violations.**

17 (3) The solid and hazardous waste commission shall promulgate rules to
18 implement this section, including:

19 (a) Requirements that persons who transport waste tires for
20 storage or disposal:

21 (II) Register with the department of public health and environment
22 AND ANNUALLY PROVIDE A COPY OF THE CURRENTLY VALID REGISTRATION
23 TO EACH RETAILER OF MOTOR VEHICLE TIRES FROM WHOM THE PERSON
24 ACCEPTS FOR COMMERCIAL PURPOSES A WASTE TIRE; and";

25 **SECTION 5.** 30-20-1006 (2), Colorado Revised Statutes, is
26 amended to read:

27 **30-20-1006. Limitations on the disposal of tires.** (2) (a) A



1 person shall dispose of waste tires by delivery to a retailer or wholesaler
2 engaging in waste tire collection or recycling, to a waste tire monofill, or
3 to a collection or recycling facility operating under the laws of this state
4 or under rules promulgated by the United States environmental protection
5 agency.

6 (b) A PERSON, INCLUDING A RETAILER, WHOLESALER, AND A
7 COLLECTION OR RECYCLING FACILITY, SHALL ARRANGE FOR THE
8 COMMERCIAL HAULING OF WASTE TIRES ONLY WITH A HAULER WHO IS
9 CURRENTLY REGISTERED PURSUANT TO SECTION 25-17-204, C.R.S.

10 SECTION 6. 30-20-1007, Colorado Revised Statutes, is amended
11 to read:

12 **30-20-1007. Waste tires - collection for recycling.** A retailer
13 selling replacement tires in the state ~~may~~ SHALL accept from customers,
14 at the point of transfer, waste tires of the same general type and in a
15 quantity at least equal to the number of new tires purchased. ~~if offered by~~
16 customers:".

17 Renumber succeeding section accordingly.

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