



General Assembly

January Session, 2023

Raised Bill No. 6486

LCO No. 3053



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

**AN ACT CONCERNING EXTENDED PRODUCER RESPONSIBILITY
FOR TIRES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective January 1, 2024*) (a) For purposes of this
2 section:

3 (1) "Abandoned scrap tire pile" means a scrap tire pile for which the
4 Commissioner of Energy and Environmental Protection is not able to:
5 (A) Locate the persons responsible for the tire pile; or (B) cause the
6 persons responsible for the tire pile to remove the tire pile.

7 (2) "Beneficial use" means the use of tire chips in a manner that is not
8 recycling, storage or disposal, but that serves as a replacement for
9 another product or material for specific purposes. "Beneficial use"
10 includes, but is not limited to, the use of tire chips for: (A) Civil
11 engineering purposes; (B) low-density light-weight aggregate fill; and
12 (C) septic or drain field construction. "Beneficial use" does not include
13 the use of scrap tires or material derived from scrap tires: (i) In the
14 construction of fences; or (ii) as fill, other than low-density light-weight
15 aggregate fill.

16 (3) "Commissioner" means the Commissioner of Economic and
17 Community Development.

18 (4) "Disposal" means the deposit, dumping or permanent placement
19 of scrap tire in or on land or in the waters of the state.

20 (5) "Fund" means the Scrap Tire Market Development Fund
21 established pursuant to this section.

22 (6) "Ground rubber" means scrap tires that have been ground,
23 shredded or otherwise reduced in size such that the particles are less
24 than or equal to three-quarters of an inch in diameter and are ninety-
25 eight per cent wire-free by weight.

26 (7) "Materials derived from scrap tires" means ground rubber, tire
27 sections, tire chips, tire shreds, rubber, steel, fabric or other similar
28 materials derived from scrap tires.

29 (8) "Passenger tire equivalent" means a measure of mixed sizes of tires
30 in which each twenty-five pounds of whole tires or material derived
31 from scrap tires is equal to one scrap tire.

32 (9) "Proceeds of the fee" means the money collected by the
33 Department of Revenue Services from payment of the recycling fee
34 including interest and penalties on delinquent payments.

35 (10) "Recycler" means a business based in the state that annually uses:
36 (A) Or can reasonably be expected during the next year to use, a
37 minimum of one hundred thousand scrap tires generated in the state, or
38 one thousand two hundred fifty tons of scrap tires generated in the state,
39 to recover energy or produce energy, ground rubber, chipped tires or an
40 end product, or (B) one hundred twenty-five tons or more of scrap tires
41 generated in the state in end products.

42 (11) "Recycling market development fee" means the fee established in
43 subsection (b) of this section.

44 (12) "Scrap tire" means a tire that is no longer suitable for the tire's

45 original intended purpose because of wear, damage or defect; or a tire
46 that a tire retailer removes from a vehicle for replacement by a new or
47 used tire.

48 (13) "Shredded scrap tires" means scrap tires or material derived from
49 scrap tires that has been reduced to a six-inch square or smaller.

50 (14) "Tire" means a product composed primarily of rubber that is
51 mounted on the wheels of all types of passenger and commercial on-
52 road and off-road motorized vehicles, including passenger vehicles, to
53 provide mobility. "Tire" does not include any tire from any toy, bicycle,
54 commercial aircraft or personal mobility device.

55 (15) "Tire chips" means the approximate size of a shredded tire once
56 such tire is shredded and screened or classified to create a generally
57 consistent size.

58 (16) "Tire retailer" means any person engaged in the business of
59 selling new tires either as replacement tires or as part of the sale of a new
60 vehicle.

61 (17) "End product" means a product that has component material
62 derived from scrap tires and that the commissioner has determined to
63 have a demonstrated market and substantial recycled tire content.

64 (b) (1) There is established a recycling market development fee that
65 each tire retailer shall impose upon each purchase of a new tire by a
66 consumer. Such fee shall be paid by the consumer to the tire retailer at
67 the time the new tire is purchased. Such fee shall not be imposed on the
68 sale of retreaded or used tires.

69 (2) The recycling market development fee for each tire with a rim
70 diameter of twenty-four and one-half inches shall be two dollars. Such
71 fee for each tire with a rim diameter greater than twenty-four and one-
72 half inches shall be three dollars.

73 (3) Each tire retailer shall pay the recycling market development fee
74 to the Department of Revenue Services quarterly on or before the last

75 day of the month immediately following the last day of the previous
76 quarter. Such payment shall be accompanied by a form prescribed by
77 the Department of Revenue Services.

78 (4) The Department of Revenue Services shall cause the recycling
79 market development fees collected pursuant to this section to be
80 deposited in the Scrap Tire Recycling Market Development Fund
81 established pursuant to subsection (c) of this section except the
82 department shall retain administrative costs of not more than one
83 hundred fifty thousand dollars per year for agency costs associated with
84 the collection of such fees.

85 (5) The Department of Revenue Services shall administer, collect and
86 enforce the fee authorized pursuant to this section in accordance with
87 the same procedures used in the administration, collection and
88 enforcement of state sales and use taxes.

89 (6) Each tire retailer may retain five per cent of the recycling market
90 development fee collected pursuant to this section for costs associated
91 with the collection of such fee.

92 (7) The recycling market development fee imposed pursuant to this
93 section shall be in addition to all other state taxes or fees imposed on the
94 sale of new tires.

95 (c) There is established the "Scrap Tire Recycling Market
96 Development Fund". Such fund shall be within the Department of
97 Revenue Services and consist of the net proceeds of the recycling market
98 development fee imposed pursuant to subsection (b) of this section.
99 Such fund shall be used for the following purposes: (1) Not more than
100 seventy-five per cent of such fund shall be used for grants to scrap tire
101 recyclers who produce and sell tire-derived products and to
102 manufacturers of end products who use materials derived from scrap
103 tires, (2) not more than twenty-five per cent of such funds shall be used
104 for grants to municipalities for the remediation of abandoned scrap tire
105 piles, and (3) the funding of one full-time position for administration of
106 this section and to develop and coordinate a program to promote state

107 procurement, to the extent practicable, of materials derived from scrap
108 tires and end products. Such position shall be within the Department of
109 Economic and Community Development.

110 (d) In determining priority for grants to recyclers and manufacturers
111 of end products, the Department of Economic and Community
112 Development shall consider the following factors in order of priority: (1)
113 The production, sale and use of ground rubber, (2) the production, sale
114 and use of tire chips for beneficial use, (3) the production, sale and use
115 of shredded tire material for beneficial use, and (4) other products that
116 use material derived from scrap tires as raw material.

117 (e) The Commissioner of Economic and Community Development
118 shall determine a schedule of grant amounts, for purposes of subsection
119 (d) of this section, based on the weight of end products produced and
120 sold by recyclers and manufacturers of end products, with greater
121 weights receiving larger grants.

122 (f) The Department of Energy and Environmental Protection shall
123 provide assistance to municipalities in identifying abandoned scrap tire
124 pile locations in need of remediation.

125 (g) The Commissioner of Economic and Community Development
126 shall adopt regulations, in accordance with the provisions of chapter 54
127 of the general statutes, to carry out the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	January 1, 2024	New section

Statement of Purpose:

To establish extended producer responsibility for tires.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]