



# House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL  
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February 15, 2019

Mr. Speaker,

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 126**, TIRE RECYCLING MODIFICATIONS, by Representative L. B. Perry, with the following amendments:

1. *Page 1, Lines 14 through 16:*

- 14       ▶   adjusts rates of partial reimbursement; and  
15       {→ ~~addresses funding for management of certain landfill or abandoned~~  
~~waste tire piles;~~  
16    ~~and~~}

2. *Page 1, Line 27:*

27{~~19-6-811, as last amended by Laws of Utah 2012, Chapter 360~~}

3. *Page 9, Line 250 through Page 11, Line 316:*

- 250       {~~Section 4. Section 19-6-811 is amended to read:~~  
251   ~~19-6-811. Funding for management of certain landfill or abandoned waste tire~~  
252   ~~piles--Limitations:~~  
253   ~~(1) (a) A county or municipality may apply to the director for payment from~~  
254   ~~the fund~~  
254   ~~for costs of a waste tire transporter or recycler to remove waste tires from an~~  
255   ~~abandoned waste~~  
255   ~~tire pile or a landfill waste tire pile operated by a state or local governmental entity~~  
256   ~~and deliver~~  
256   ~~the waste tires to a recycler.~~  
257   ~~(b) The director may authorize a maximum reimbursement of:~~

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258 ~~——(i) 100% of a waste tire transporter's or recycler's costs allowed under~~  
Subsection (2) to  
259 ~~remove waste tires from an abandoned waste tire pile or landfill waste tire pile and~~  
~~deliver the~~  
260 ~~waste tires to a recycler, if no waste tires have been added to the abandoned waste~~  
~~tire pile or~~  
261 ~~landfill waste tire pile on or after July 1, 2001; or~~  
262 ~~——(ii) [60%] 100% of a waste tire transporter's or recycler's costs allowed under~~  
263 ~~Subsection (2) to remove waste tires from an abandoned waste tire pile or landfill~~  
~~waste tire~~  
264 ~~pile and deliver the waste tires to a recycler, if waste tires have been added to the~~  
~~abandoned~~  
265 ~~waste tire pile or landfill waste tire pile on or after July 1, 2001:~~  
266 ~~——(c) The director may deny an application for payment of waste tire pile~~  
~~removal and~~  
267 ~~delivery costs, if the director determines that payment of the costs will result in~~  
~~there not being~~  
268 ~~sufficient money in the fund to pay expected reimbursements for recycling or~~  
~~beneficial use~~  
269 ~~under Section 19-6-809 during the next quarter:~~  
270 ~~——(2) (a) The maximum number of miles for which the director may reimburse~~  
~~for~~  
271 ~~transportation costs incurred by a waste tire transporter under this section is the~~  
~~number of~~  
272 ~~miles, one way, between the location of the waste tire pile and the State Capitol~~  
~~Building, in~~  
273 ~~Salt Lake City, Utah, or to the recycler, whichever is less:~~  
274 ~~——(b) This maximum number of miles available for reimbursement applies~~  
~~regardless of~~  
275 ~~the location of the recycler to which the waste tires are transported under this~~  
~~section:~~  
276 ~~——(c) The director shall, upon request, advise any person preparing a bid under~~  
~~this~~  
277 ~~section of the maximum number of miles available for reimbursement under this~~



**Subsection**

278 ~~(2).~~  
279 ~~—(d) The cost under this Subsection (2) shall be calculated based on the cost to~~  
280 ~~transport~~  
281 ~~one ton of waste tires one mile.~~  
282 ~~—(3) (a) The county or municipality shall through a competitive bidding process~~  
283 ~~make a~~  
284 ~~good faith attempt to obtain a bid for the removal of the landfill or abandoned waste~~  
285 ~~tire pile~~  
286 ~~and transport to a recycler.~~  
287 ~~—(b) The county or municipality shall submit to the director:~~  
288 ~~—(i) (A) (I) a statement from the local health department stating the landfill~~  
289 ~~waste tire~~  
290 ~~pile is operated by a state or local governmental entity and consists solely of waste~~  
291 ~~tires~~  
292 ~~diverted from the landfill waste stream;~~  
293 ~~—(H) a description of the size and location of the landfill waste tire pile; and~~  
294 ~~—(HH) landfill records showing the origin of the waste tires; or~~  
295 ~~—(B) a statement from the local health department that the waste tire pile is~~  
296 ~~abandoned;~~  
297 ~~and~~  
298 ~~—(ii) (A) the bid selected by the county or municipality; or~~  
299 ~~—(B) if no bids were received, a statement to that fact.~~  
300 ~~—(4) (a) If a bid is submitted, the director shall determine if the bid is~~  
301 ~~reasonable, taking~~  
302 ~~into consideration:~~  
303 ~~—(i) the location and size of the landfill or abandoned waste tire pile;~~  
304 ~~—(ii) the number and size of any other landfill or abandoned waste tire piles in~~  
305 ~~the area;~~  
306 ~~and~~  
307 ~~—(iii) the current market for waste tires of the type in the landfill or abandoned~~  
308 ~~waste tire~~  
309 ~~pile.~~  
310 ~~—(b) The director shall advise the county or municipality within 30 days of~~



**receipt of the**  
302 ~~bid whether or not the bid is determined to be reasonable.~~  
303 ~~—(5) (a) If the bid is found to be reasonable, the county or municipality may~~  
~~proceed to~~  
304 ~~have the landfill or abandoned waste tire pile removed pursuant to the bid.~~  
305 ~~—(b) The county or municipality shall advise the director that the landfill or~~  
~~abandoned~~  
306 ~~waste tire pile has been removed:~~  
307 ~~—(6) The recycler or waste tire transporter that removed the landfill or~~  
~~abandoned waste~~  
308 ~~tires pursuant to the bid shall submit to the director a copy of the manifest, which~~  
~~shall state:~~  
309 ~~—(a) the number or tons of waste tires transported;~~  
310 ~~—(b) the location from which they were removed;~~  
311 ~~—(c) the recycler to which the waste tires were delivered; and~~  
312 ~~—(d) the amount charged by the transporter or recycler.~~  
313 ~~—(7) Upon receipt of the information required under Subsection (6), and~~  
~~determination~~  
314 ~~that the information is complete, the director shall, within 30 days after receipt~~  
~~authorize the~~  
315 ~~Division of Finance to reimburse the waste tire transporter or recycler the amount~~  
~~established~~  
316 ~~under this section. }~~

Respectfully,

Keven J. Stratton  
Chair

Voting: 9-2-2

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