



UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL
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March 6, 2019

Mr. President,

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 13 through 14:*

13 ▶ addresses waste tire transporters complying with this part; and
14 { ~~adjusts rates of partial reimbursement; fi~~ and ~~fi~~ }

2. *Page 1, Line 26:*

26 { ~~19-6-809, as last amended by Laws of Utah 2012, Chapter 263~~ }

3. *Page 7, Line 191 through Page 9, Line 249:*

191 { ~~Section 3. Section 19-6-809 is amended to read:~~
192 ~~19-6-809. Partial reimbursement.~~
193 ~~(1) (a) A recycler may submit an application under Section 19-6-813 to the local~~
 ~~health~~
194 ~~department having jurisdiction over the applicant's business address for partial~~
 ~~reimbursement~~
195 ~~for the cost of transporting and processing a waste tire or a material derived from a~~
 ~~waste tire~~
196 ~~that:~~
197 ~~(i) meets the requirements of Subsections (3) and (4); and~~

Bill Number



HB0126

Action Class



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- 198 ~~—(ii) is used within the state for:~~
199 ~~—(A) energy recovery or production;~~
200 ~~—(B) the creation of an ultimate product;~~
201 ~~—(C) the production of crumb rubber, if a contract exists for the sale of the~~
202 ~~crumb rubber~~
203 ~~for use, either within or outside the state, as a component in an ultimate product;~~
204 ~~—(D) the production of a chipped tire, if:~~
205 ~~—(F) the chipped tire is beneficially used, either within or outside the state; and~~
206 ~~—(H) a contract exists for the sale of the chipped tire; or~~
207 ~~—(E) a use defined in rule as recycling:~~
208 ~~—(b) A recycler is not eligible to receive partial reimbursement for~~
209 ~~transportation or~~
210 ~~processing costs related to the creation of an ultimate product if:~~
211 ~~—(i) the recycler used crumb rubber as a component of the ultimate product;~~
212 ~~and~~
213 ~~—(ii) the recycler, or another recycler, previously received under this section~~
214 ~~partial~~
215 ~~reimbursement for transportation or processing costs related to the production of~~
216 ~~the crumb~~
217 ~~rubber:~~
218 ~~—(c) A recycler who qualifies under this section for partial reimbursement may~~
219 ~~waive the~~
220 ~~reimbursement and request in writing that the reimbursement be paid to a person~~
221 ~~who:~~
222 ~~—(i) delivers a waste tire or material derived from a waste tire to the recycler; or~~
223 ~~—(ii) processes the waste tire before the recycler receives the waste tire or a~~
224 ~~material~~
225 ~~derived from the waste tire for recycling:~~
226 ~~—(d) A recycler is not eligible to receive partial reimbursement for~~
227 ~~transportation or~~
228 ~~processing costs for baling:~~
229 ~~—(i) whole waste tires; or~~
230 ~~—(ii) materials derived from waste tires that are larger than shredded waste~~
231 ~~tires:~~
232 ~~—(2) Subject to the limitations in Section 19-6-816, a recycler is entitled to:~~

223 ~~—(a) \$65] \$80 as partial reimbursement for [each] a ton of waste tires or~~
224 ~~material~~
225 ~~derived from waste tires converted to crumb rubber, if a contract exists for the sale~~
226 ~~of the~~
227 ~~crumb rubber for use as a component in an ultimate product;~~
228 ~~—(b) \$50 as partial reimbursement for [each] a ton of waste tires or material~~
229 ~~derived~~
230 ~~from waste tires recycled, other than as crumb rubber; and~~
231 ~~—(c) \$20 as partial reimbursement for [each] a ton of chipped tires used for a~~
232 ~~beneficial~~
233 ~~use:~~
234 ~~—(3) (a) A recycler is eligible for a partial reimbursement if the recycler~~
235 ~~establishes, in~~
236 ~~cooperation with a tire retailer or transporter, or both, a reasonable schedule to~~
237 ~~remove waste~~
238 ~~tires in sufficient quantities to allow for economic transportation of waste tires~~
239 ~~located in a~~
240 ~~municipality, as defined in Section 10-1-104, within the state:~~
241 ~~—(b) A recycler who is eligible for partial reimbursement under Subsection (3)(a)~~
242 ~~may~~
243 ~~also receive partial reimbursement for recycling a tire received from a location~~
244 ~~within the state~~
245 ~~other than those associated with a retail tire business, including a waste tire from a~~
246 ~~waste tire~~
247 ~~pile or an abandoned waste tire pile, as provided by Section 19-6-810:~~
248 ~~—(4) A recycler who applies for partial reimbursement under Subsection (1)~~
249 ~~shall~~
250 ~~demonstrate to the local health department identified in Subsection (1)(a) that:~~
251 ~~—(a) the waste tire or material derived from a waste tire that qualifies for the~~
252 ~~reimbursement was:~~
253 ~~—(i) (A) removed and transported by a registered waste tire transporter, a~~
254 ~~recycler, or a~~
255 ~~tire retailer; or~~
256 ~~—(B) generated by a private person who:~~
257 ~~—(f) is not a waste tire transporter as defined in Section 19-6-803; and~~

- 246 ~~—(H) brings the waste tire to the recycler; and~~
247 ~~—(ii) generated in the state; and~~
248 ~~—(b) if the tire is from a waste tire pile or abandoned waste tire pile, the recycler~~
249 ~~complied with the requirements of Section 19-6-810. }~~

Respectfully,

Ralph Okerlund
Chair

Voting: 7-0-2

5 HB0126.SC1.wpd 3/6/19 10:7 am ballred/JBA PO/BJB