

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 331

H.P. 240

House of Representatives, February 5, 1991

Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative FARNSWORTH of Hallowell.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Discourage the Improper Disposal of Tires.



Be it enacted by the People of the State of Maine as follows:

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38 MRSA §1608 is enacted to read:

§1608. Tires

For the purposes of this section, "tires" means pneumatic tires and solid tires as defined in Title 29, section 1, subsections 10 and 13 respectively.

1. Disposal. A person may not dispose of a tire by burial, incineration, deposit or dumping so that the tire or any of its constituents may enter the environment or be emitted into the air or discharged into any waters.

2. Tire retailers. A person selling or offering tires for retail sale shall:

A. Accept, at the point of transfer, used tires from customers in a quantity at least equal to the number of tires purchased;

B. Collect a \$10 deposit on the tire sold, if a used tire is not exchanged at the time of sale.

(1) The deposit must be returned to the customer when the customer delivers a used tire within 30 days of the date of sale.

(2) All funds received by a dealer as a deposit on a tire must be held in trust and separately accounted for by the retailer. Any interest on those funds inures to the benefit of the retailer. Annually on July 1st, all deposits not returned to customers in exchange for tires during the previous year ending June 30th inure to the benefit of the retailer; and

C. Post an 8 1/2" x 11" written notice that includes the display of the universal recycling symbol and the following language.

(1) "State law requires us to accept tires for recycling in exchange for tires purchased."

(2) "A deposit of \$10 is charged for each tire sold that is not exchanged with an old tire."

(3) "It is illegal to dump, bury or incinerate a tire."

(4) "Recycle your used tires."

2 3. Tire wholesalers. Any person selling tires at wholesale
3 shall accept, at the point of transfer, in a quantity at least
4 equal to the number of tires sold, used tires from customers. A
5 person accepting tires in transfer from a tire retailer is
6 allowed a period, not to exceed 90 days, to remove tires from the
7 retail point of collection.

8 4. Inspection and enforcement. The department shall
9 produce, print and distribute notices required under subsection
10 2. The department shall enforce the provisions of this section
11 and may inspect places, buildings or premises governed by this
12 section.

13 5. Violations. Any person who does not abide by this
14 section commits a civil violation subject to section 349.
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STATEMENT OF FACT

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This bill assures that used tires are managed in a safe and controlled manner. It prohibits the disposal of tires except through a tire retailer or wholesaler.

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