



January 24, 2020

HOUSE BILL No. 1403

DIGEST OF HB 1403 (Updated January 22, 2020 4:54 pm - DI 129)

Citations Affected: IC 13-11; IC 13-20.

Synopsis: Waste tires. Adds a definition of "used tire", for purposes of the law governing solid waste management. Adds requirements for the adoption of administrative rules concerning the regulation of waste tire storage sites and waste tire processing operations.

Effective: July 1, 2020.

Wolkins

January 15, 2020, read first time and referred to Committee on Environmental Affairs.
January 23, 2020, amended, reported — Do Pass.

HB 1403—LS 6836/DI 129



January 24, 2020

Second Regular Session of the 121st General Assembly (2020)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2019 Regular Session of the General Assembly.

HOUSE BILL No. 1403

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 13-11-2-243.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2020]: **Sec. 243.5. "Used tire", for purposes**
4 **of IC 13-20-13 and IC 13-20-14, means a tire that meets all of the**
5 **following criteria:**

- 6 (1) **The tire is suitable for use on a motor vehicle as follows:**
7 (A) **The tire has at least two thirty-seconds (2/32) of an**
8 **inch of remaining tread, or the tire wear bars are not**
9 **exposed.**
10 (B) **The tire has no cuts, slashes, or exposed cord.**
11 (2) **The tire is stored in a rack, stack, or row that:**
12 (A) **is accessible for inspection; and**
13 (B) **allows access for emergency equipment.**
14 (3) **The tire is stored out of the weather to prevent**
15 **accumulation of water or precipitation in the tires.**

16 SECTION 2. IC 13-20-13-11, AS AMENDED BY P.L.97-2016,
17 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JULY 1, 2020]: Sec. 11. (a) The board shall adopt rules under
2 IC 4-22-2 and IC 13-14-8 necessary to implement this chapter.

3 (b) The rules adopted under this section must include the following:

4 (1) Requirements for the registration of waste tire storage sites
5 and waste tire processing operations.

6 (2) Requirements concerning the following:

7 (A) The operation of waste tire storage sites and waste tire
8 processing operations.

9 (B) Proper storage and processing of waste tires.

10 (C) Contingency plans concerning the minimization of hazards
11 to human health and the environment at waste tire storage sites
12 and waste tire processing operations.

13 (D) Record keeping guidelines concerning the quantity of
14 waste tires stored and processed at waste tire storage sites and
15 waste tire processing operations.

16 **(E) The transportation of waste tires and loads containing
17 any combination of both waste tires and used tires.**

18 **(F) Reporting requirements concerning the transportation
19 of:**

20 (i) waste tires; and

21 (ii) loads containing any combination of both waste tires
22 and used tires;

23 **that include evidence of proper end point disposal or
24 processing of tires described in this clause.**

25 (3) Financial assurance acceptable to the department necessary
26 for waste tire removal that a person that operates a waste tire
27 storage site must maintain. **The rules shall provide for the use
28 of a corporate financial test that is substantially similar to the
29 corporate financial test set forth in 40 CFR 258.74(e) as an
30 optional financial assurance mechanism.**

31 (4) The establishment of the fee required by section 4(a)(6) of this
32 chapter in an amount necessary to cover the costs incurred in the
33 following:

34 (A) Registering waste tire storage sites and waste tire
35 processing operations under this chapter.

36 (B) Administering this chapter.

37 (c) The rules adopted under this section may establish standards and
38 procedures for the legitimate use, instead of disposal, of waste tires,
39 including standards and procedures concerning the following:

40 (1) Proper storage and handling.

41 (2) Record keeping.

42 (3) Circumstances under which the use of a waste tire is not



1 considered a legitimate use.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1403, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 16 through 17.

Page 2, delete lines 1 through 5.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1403 as introduced.)

WOLKINS

Committee Vote: yeas 11, nays 0.

