

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Buoniconti, Stephen (SEN)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to establishing a deposit and return system for motor vehicle tires in the Commonwealth.

PETITION OF:

NAME:

Buoniconti, Stephen (SEN)

DISTRICT/ADDRESS:

Hampden

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S00494 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO ESTABLISHING A DEPOSIT AND RETURN SYSTEM FOR MOTOR
VEHICLE TIRES IN THE COMMONWEALTH.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority
of the same, as follows:*

1 SECTION 1. Notwithstanding any general or special law to the contrary a Tire Recycling
2 Program shall be established and operated by the Department of Environmental Protection.

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4 SECTION 2. A deposit of \$5.00 per tire shall be paid by the consumer on every motor vehicle
5 tire sold at the retail level in the Commonwealth and shall be refunded to the consumer upon
6 return of a used motor vehicle tire that was purchased subject to this deposit. Every motor
7 vehicle tire sold or offered for retail sale in the Commonwealth shall be clearly identified by a
8 stamp, label, or other mark securely and visibly affixed to the tire, bearing the inscription
9 “Massachusetts Tire Deposit” and indicating the refund value. Each tire subject to the
10 provisions of this section shall have a minimum refund value which equals the size of the deposit
11 when returned to the place of purchase or to any retailer, distributor, or wholesaler who sells or

12 offers for sale tires of the same kind, size, and brand. A retailer who sells motor vehicle tires
13 may not refuse to accept tires subject to this deposit, or to pay to the consumer their refund
14 value; however, the retailer shall be reimbursed by the manufacturer or distributor of those motor
15 vehicle tires for the amount of the deposit, together with a handling fee in an amount which is at
16 least \$2.00 per tire. A retailer may refuse to redeem motor vehicle tires which are not reasonably
17 clean. With respect to tires subject to this deposit, a manufacturer or distributor may not refuse
18 to accept from a retailer any used motor vehicle tires of the kind, size, and brand sold by the
19 manufacturer or distributor, and may not refuse to pay the retailer the reimbursement value and
20 handling fee established in this section.

21

22 SECTION 3. The Commissioner of the Department of Environmental Protection shall adopt
23 rules establishing a procedure for the payment of the refund, the collection of the deposit, and
24 otherwise conditioning and controlling the sale of motor vehicle tires, which shall be designed to
25 implement the purpose and provisions of this section.