

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 1324 (as enrolled)
Sponsor: Senator Bev Hammerstrom
Senate Committee: Natural Resources and Environmental Affairs
House Committee: Conservation and Outdoor Recreation

PUBLIC ACT 497 of 2002

Date Completed: 7-29-02

RATIONALE

According to the Department of Environmental Quality, there are in excess of 25 million scrap tires stored or dumped at various sites around the State. In addition, Michigan consumers reportedly generate more than 7.5 million scrap tires each year. Public Act 148 of 1990 amended the Michigan Vehicle Code to require proper handling, storage, and disposal of scrap tires and prevent the continued accumulation of massive tire piles and the associated public health and environmental risks at many of the larger scrap tire collection sites. The Act also created the Scrap Tire Regulatory Fund to be used for administrative costs and the cleanup or collection of abandoned scrap tires on land owned by the State or a city, village, township, or county. Public Act 148 required each person who applied for a certificate of title to pay a tire disposal surcharge of 50 cents for each title or duplicate title. The money received from the disposal surcharge fee is deposited into the Fund. The fee expired on April 1, 2002. Many believe the disposal surcharge fee for the Scrap Tire Regulatory Fund should be retained and increased to continue to help operate the scrap tire regulatory program.

CONTENT

The bill amended the Michigan Vehicle Code to increase the tire disposal surcharge from 50 cents to \$1.50 for each certificate of title or duplicate title. The bill also extended from April 1, 2002, to December 31, 2007, the sunset on the surcharge.

MCL 257.806

BACKGROUND

When the tire disposal surcharge was originally required under Public Act 148 of 1990, it was scheduled to apply for five years beginning on the Act's effective date, which was January 1, 1991. Public Act 267 of 1995 then established an expiration date of January 1, 2001, for the surcharge. That date was extended until January 1, 2002, by Public Act 456 of 2000. More recently, Public Act 268 of 2001 extended the surcharge to April 1, 2002.

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

The bill restores the tire disposal surcharge fee, and increases the fee, to continue funding the operation of the scrap tire regulatory program and the cleanup of abandoned scrap tire piles on State and local government property. According to the Department, in addition to implementing improved scrap tire management and regulation through the program, Michigan has been expanding the scrap tire market through tire-derived fuels facilities, the truck tire retread industry, the used tire industry, the use of tire chips in engineered landfills and domestic septic fields, and crumb rubber recycling. The bill enables the Scrap Tire Regulatory Fund to continue supporting the current efforts to address the problem of massive tire accumulation and the associated public health and environmental concerns.

Legislative Analyst: Nobuko Nagata

FISCAL IMPACT

The bill will result in an increase of approximately \$3.4 million to the Scrap Tire Regulatory Fund.

Fiscal Analyst: Pam Graham

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.