

ASSEMBLY BILL

No. 2658

Introduced by Assembly Member Bocanegra

February 21, 2014

An act to amend Sections 42872.5 and 42885.5 of the Public Resources Code, relating to recycling.

LEGISLATIVE COUNSEL'S DIGEST

AB 2658, as introduced, Bocanegra. Recycling: waste tires: public works projects.

The California Tire Recycling Act imposes a California tire fee on a new tire purchased in the state. The revenue generated from the fee is deposited in the California Tire Recycling Management Fund for expenditure, upon appropriation by the Legislature, for the purposes of programs related to waste tires, including grants to local government agencies for public works projects that use waste tires. Existing law makes the grant program inoperative on June 30, 2015, and repeals the grant program on January 1, 2016. The act requires the Department of Resources Recycling and Recovery to adopt a 5-year plan, which is to be updated biennially, to establish goals and priorities for waste tire programs.

This bill would delete the repeal of the grant program and would make conforming changes with regard to the department's 5-year plan.

The bill would also require the department, when awarding grants under the grant program, to give priority to public works projects that use waste tires to create parklets in disadvantaged communities, as defined.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 42872.5 of the Public Resources Code
2 is amended to read:

3 42872.5. (a) ~~The~~ *(1) In accordance with the conditions*
4 *specified in paragraph (2), the grants awarded pursuant to Section*
5 *42872 may be made to cities, counties, and other local government*
6 *agencies for the funding of public works projects that use waste*
7 *tires, including, but not limited to, the use of rubberized asphalt*
8 *concrete and tire-derived aggregate.*

9 *(2) The department shall give priority, when awarding grants*
10 *pursuant to this section, to public works projects that use waste*
11 *tires to create parklets in disadvantaged communities.*

12 (b) The grants described in subdivision (a) shall be funded by
13 an appropriation in the annual Budget Act from the California Tire
14 Recycling Management Fund established pursuant to Section
15 42885.

16 (c) In order to provide outreach to local agencies regarding the
17 use of rubberized asphalt concrete in public works projects, both
18 of the following shall occur:

19 (1) The department shall create, annually update, and post on
20 its Internet Web site a database of public works projects that use
21 waste tires that were completed by local agencies receiving grants
22 for purposes of this section.

23 (2) The department shall provide technical support to local
24 agencies on the design and application for using waste tires in
25 public works projects.

26 ~~(d) This section shall become inoperative on June 30, 2015,~~
27 ~~and, as of January 1, 2016, is repealed, unless a later enacted~~
28 ~~statute, that becomes operative on or before January 1, 2016,~~
29 ~~deletes or extends the dates on which it becomes inoperative and~~
30 ~~is repealed.~~

31 *(d) For purposes of this section, the following terms have the*
32 *following meanings:*

33 *(1) "Disadvantaged community" means a community, as*
34 *determined by the department, with an annual median household*
35 *income that is less than 80 percent of the statewide median*
36 *household income.*

1 (2) “Parklet” means a small urban park intended for people
2 and that provides amenities, including, but not limited to, seating,
3 tables, bike racks, and landscaping.

4 SEC. 2. Section 42885.5 of the Public Resources Code is
5 amended to read:

6 42885.5. (a) The department shall adopt a five-year plan, which
7 shall be updated every two years, to establish goals and priorities
8 for the waste tire program and each program element.

9 (b) On or before July 1, 2001, and every two years thereafter,
10 the department shall submit the adopted five-year plan to the
11 appropriate policy and fiscal committees of the Legislature. The
12 department shall include in the plan, programmatic and fiscal issues
13 including, but not limited to, the hierarchy used by the department
14 to maximize productive uses of waste and used tires, and the
15 performance objectives and measurement criteria used by the
16 department to evaluate the success of its waste and used tire
17 recycling program. Additionally, the plan shall describe each
18 program element’s effectiveness, based upon performance measures
19 developed by the department, including, but not limited to, the
20 following:

21 (1) Enforcement and regulations relating to the storage of waste
22 and used tires.

23 (2) Cleanup, abatement, or other remedial action related to waste
24 tire stockpiles throughout the state.

25 (3) Research directed at promoting and developing alternatives
26 to the landfill disposal of waste tires.

27 (4) Market development and new technology activities for used
28 tires and waste tires.

29 (5) The waste and used tire hauler program, the registration of,
30 and reporting by, tire brokers, and the manifest system.

31 (6) A description of the grants, loans, contracts, and other
32 expenditures proposed to be made by the department under the
33 tire recycling program.

34 (7) ~~Until June 30, 2015, the~~ *The* grant program authorized under
35 Section 42872.5 to encourage the use of waste tires, including, but
36 not limited to, rubberized asphalt concrete technology, in public
37 works projects.

38 (8) Border region activities, conducted in coordination with the
39 California Environmental Protection Agency, including, but not
40 limited to, all of the following:

- 1 (A) Training programs to assist Mexican waste and used tire
2 haulers to meet the requirements for hauling those tires in
3 California.
- 4 (B) Environmental education training.
- 5 (C) Development of a waste tire abatement plan, with the
6 appropriate government entities of California and Mexico.
- 7 (D) Tracking both the legal and illegal waste and used tire flow
8 across the border and recommended revisions to the waste tire
9 policies of California and Mexico.
- 10 (E) Coordination with businesses operating in the border region
11 and with Mexico, with regard to applying the same environmental
12 and control requirements throughout the border region.
- 13 (F) Development of projects in Mexico in the California-Mexico
14 border region, as defined by the La Paz Agreement, that include,
15 but are not limited to, education, infrastructure, mitigation, cleanup,
16 prevention, reuse, and recycling projects, that address the
17 movement of used tires from California to Mexico that are
18 eventually disposed of in California.
- 19 (c) The department shall base the budget for the California Tire
20 Recycling Act and program funding on the plan.
- 21 (d) The plan may not propose financial or other support that
22 promotes, or provides for research for the incineration of tires.