

Title 8. Environmental Law

Chapter XIV. Southeast Arkansas Regional Solid Waste Management District

Subchapter A. Generally

Part 295. Waste Tires

Codification Notes. This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"§11.01 Authority

Ark. Code Ann. § 8-9-404(a)(3)(C), Ark. Code Ann. § 8-9-405(a)(6), and Commission Rule 14.1004, authorize the District to charge a fee for the collection and disposal of Non-Fee Paid Tires, including but not limited to Specialty Tires."

Subpart 1. Generally

8 CAR § 295-101. Definitions.

As used in this part:

(1) "Non-fee paid tire" means a waste tire in which no state waste tire fee has been collected, reported, and paid on a replacement tire sold at retail;

(2) "Specialty tire" means any tire not specifically covered by any definition in Arkansas Pollution Control and Ecology Commission Regulation 14.201 or Arkansas Code § 8-9-402, including without limitation:

- (A) Traction engines;
- (B) Road rollers;
- (C) Vehicles that run only on a track;
- (D) Bicycles; and
- (E) Farm tractors and trailers;

(3) "Tire" means a continuous solid or pneumatic rubber covering that is used for encircling a wheel;

(4) "Truck tire" means any motor vehicle tire with a rim size greater than nineteen inches (19") and a load rating of "F" or higher including without limitation wide-base or extra-wide single tire; and

(5) "Waste tire" means a tire that is no longer repairable or retreadable for its original intended purpose because of wear, damage, or defect, but shall not include a tire being held for ninety (90) calendar days or less for the purpose of retreading or repairing the tire.

Authority. Arkansas Code § 8-6-704.

8 CAR § 295-102. Effective date.

The fees imposed by this part are:

- (1) Mandatory; and
- (2) Effective on and after February 1, 2014.

Authority. Arkansas Code §§ 8-6-704, 8-6-714.

8 CAR § 295-103. Waste tire fees.

(a) The following fees shall be assessed on persons disposing of non-fee paid tires or specialty tires:

- (1) Car tires, one dollar (\$1.00) per tire;
- (2) Truck tires, five dollars (\$5.00) per tire;
- (3) Farm front tires, fifteen dollars (\$15.00) per tire;
- (4) Farm rear tires, fifty dollars (\$50.00) per tire;
- (5) Skidder tires, fifty dollars (\$50.00) per tire;
- (6) Other large off-the-road tires, fifty dollars (\$50.00) per tire; and
- (7) Four-wheeler/other small tires, one dollar (\$1.00) per tire.

(b) Notwithstanding the foregoing, a fee shall not be assessed on individuals disposing of four (4) or fewer automobile tires at a waste tire collection center.

Authority. Arkansas Code §§ 8-6-704, 8-6-714.

8 CAR § 295-104. Collection and remittance of waste tire fees.

(a) The fees set forth in 8 CAR § 295-103 shall be collected from the disposing person at the point of disposal by the waste tire collection center and/or the business accepting the waste tire.

(b) The fees shall be remitted by the waste tire collection center and/or the business accepting the waste tire to the Southeast Arkansas Regional Solid Waste Management District monthly on or before the tenth of the month following the month in which the fees were collected.

(c) The fees shall be remitted together with a report detailing the number and kinds of tires the fees have been assessed against.

Authority. Arkansas Code §§ 8-6-704, 8-6-714.