



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 342

PRINTERS NO. 1818

PRIME SPONSOR: Cruz

COST / (SAVINGS)

FUND	FY 2019/20	FY 2020/21
Motor License Fund	\$0	\$0
City of Philadelphia Funds	See "Fiscal Impact"	See "Fiscal Impact"

SUMMARY: Amends Act 227 of 2004 to increase fines relating to the disposal of waste tires in cities of the first class. This legislation would take effect in 120 days.

ANALYSIS: This legislation would authorize the City of Philadelphia to impose a fine or penalty of no more than \$500 per tire for the improper disposal of waste tires.

The term "waste tire" is defined as a tire that is no longer used for the purpose for which it was originally intended. The term includes a tire that has been discarded by an owner or user, and is not resold for use or recycled, though the tire may have some remaining useful life. A tire becomes a waste tire when it is discarded by an owner or user and is not resold for use or recycled.

In order to ensure the proper disposal of waste tires, the legislation stipulates that all business entities that accept used tires for disposal, shall maintain a list of the number of tires it accepts as well as retain proof of proper disposal, in the form of a receipt from an authorized waste tire recycling facility. Such business entities shall maintain records relating to proper tire disposal in electronic form for a minimum of 5 years and shall make them available to the city for review upon request. Further, the city may request a copy of the business entity's records in either electronic or in hard copy form as proof of compliance with this act.

A business entity, that is fined by a city of the first class under this act, may appeal such fine to the Court of Common Pleas.

Monies received from the imposition of the fine or penalty shall be used by the city to encourage recycling, to expand waste tire recycling programs within the city in accordance with the state Waste Tire Recycling Act, as well as to enforce compliance with this act.

FISCAL IMPACT: This legislation would have no adverse fiscal impact on Commonwealth funds. The City of Philadelphia would likely realize increased revenue from the new \$500 fine which could be used to encourage recycling and to expand waste tire recycling programs. Any estimate of that revenue is indeterminable at this point.

PREPARED BY: Tim Rodrigo
House Appropriations Committee (R)

DATE: September 18, 2019

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.