
A BILL FOR AN ACT

RELATING TO SPECIAL WASTES DISPOSAL AND RECYCLING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 342I-2, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§342I-2 Lead acid batteries; collection for recycling.** A
4 person selling lead acid batteries at retail or offering lead
5 acid batteries for retail sale in the State shall:

6 (1) Accept, at the point of transfer, in a quantity at
7 least equal to the number of new batteries purchased,
8 used lead acid batteries from customers, if offered by
9 customers; [~~and~~]

10 (2) If a used lead acid battery is not exchanged at the
11 time of sale, collect a \$ deposit on the new
12 battery; provided that:

13 (A) The deposit shall be returned to the customer
14 when the customer delivers a used lead acid
15 battery within thirty days of the date of sale;
16 and

17 (B) All funds received by a seller as a deposit on a
18 lead acid battery shall be held in trust and



1 separately accounted for by the seller. Any
2 interest on those funds shall inure to the
3 benefit of the seller. Annually on July 1, all
4 deposits not returned to customers in exchange
5 for used lead acid batteries during the previous
6 year ending June 30, shall inure to the benefit
7 of the seller.

8 [~~2~~] (3) Post written notice that shall be at least [~~five~~]
9 eight inches by [~~seven~~] eleven and one-half inches in
10 size and shall contain the universal recycling symbol
11 and the following language:

12 (A) "It is illegal to discard a motor vehicle battery
13 or other lead acid battery";

14 (B) "Recycle your used batteries";

15 (C) "State law requires us to accept used motor
16 vehicle batteries or other lead acid batteries
17 for recycling, in exchange for new batteries
18 purchased"; [~~and~~]

19 (D) "The price of a new battery includes disposal of
20 your old battery"; and



1 (E) "A deposit of \$ will be charged for each new
2 lead acid battery that is not exchanged with an
3 old lead acid battery.

4 [~~(3)~~] (4) Any advertising pertaining to the price of lead
5 acid batteries shall include the [~~statement~~]
6 statements, "The price includes disposal of your old
7 battery" [~~-~~] and, "A deposit of \$ will be charged
8 for each new lead acid battery that is not exchanged
9 with an old lead acid battery".

10 [~~(4)~~] (5) For businesses utilizing advertising prepared out
11 of the State a sign no smaller than three square feet,
12 placed at the point of sale stating: "The price of
13 the battery includes disposal of your old battery" and
14 "A deposit of \$ will be charged for each new lead
15 acid battery that is not exchanged with an old lead
16 acid battery" may be substituted."

17 SECTION 2. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 3. This Act shall take effect upon its approval.



Report Title:

Lead Acid Batteries

Description:

Requires a deposit for each new lead acid battery sold, to be refunded on exchange of a used lead acid battery.

