



## CALIFORNIA WASTE TIRE LAWS and REGULATIONS

### *Transportation of Waste & Used Tires*

- **Public Resources Code, Division 30, Chapter 19 (PRC) 42951 – Waste Tire Hauler Registration & Transport of Tires**
  - (a) Every person who engages in the transportation of waste or used tires shall hold a valid waste and used tire hauler registration, unless exempt as specified in Section 42954.
  - (b) A registered waste and used tire hauler shall only transport waste or used tires to a facility that is permitted, excluded, exempted, or otherwise authorized by the [Department], by statute, or by regulation, to accept waste and used tires, or to a facility that lawfully accepts waste or used tires for reuse or disposal.
  
- **PRC 42953 – Arrangements to Transport Waste or Used Tires; Hauler Registration Requirement**

Any person who gives, contracts, or arranges with another person to transport waste or used tires shall utilize only a person holding a valid waste and used tire hauler registration from the [Department], unless the hauler is exempt as specified in Section 42954.
  
- **PRC 42954 – Exemptions; Conditions**
  - (a) A person who hauls waste or used tires is exempt from registration under this chapter if at least one of the following conditions is met:
    - (1) The person transports fewer than 10 waste or used tires at any one time.
    - (2) The person is, or hauls used and waste tires in a vehicle owned and operated by, the United States, the State of California, or any county, city, town, or municipality in the state, except when the vehicle the public agency owns or operates is used as a waste and used tire carrier for hire.
    - (3) The waste or used tires were inadvertently mixed or commingled with solid waste, and it is not economical or safe to remove or recover them.
    - (4) The load containing the waste or used tires originated outside the boundaries of the state and is destined for a point outside the boundaries of the state, if no waste or used tires are loaded or unloaded within the boundaries of the state.
    - (5) The person is hauling waste or used tires for agricultural purposes. However, notwithstanding Section 42961.5, a person hauling waste or used tires for agricultural purposes shall carry a manifest from the generator in the vehicle during transportation, which may be destroyed after delivery.
    - (6) The waste or used tires were hauled by a common carrier who transported something other than waste or used tires to an original destination point and then transported waste or used tires on the return part of the trip, and the revenue derived from the waste or used tires is incidental when compared to the revenue earned by the carrier.
    - (7) The person, who is not a waste tire generating business, is transporting waste or used tires to an amnesty day event or to a location as defined in subdivision (b) of Section 42951, and has received written authorization, which includes specific conditions and dates, from the local enforcement agency. The local enforcement agency shall provide copies of any written authorizations to the [Department] within 30 days of their issuance.
    - (8) The person is transporting illegally dumped waste or used tires to an amnesty day event or to a location that meets the conditions specified in subdivision (b) of Section 42951, and has received written authorization, which includes specific conditions and dates and documentation that a police report has been filed for the illegally dumped tires, from the local enforcement agency. The local enforcement agency shall provide copies of any written authorizations to the [Department] within 30 days of their issuance.
    - (9) The person complies with any additional conditions for exemption, as approved by the [Department].

## CALIFORNIA WASTE TIRE LAWS and REGULATIONS

### *Transportation of Waste & Used Tires*

- (b) A person who transports tires to a location that does not meet the conditions specified in subdivision (b) of Section 42951 shall not be exempt pursuant to subdivision (a), except as specified in paragraph (7) of subdivision (a).
- **PRC 42956 – Waste and Used Tire Hauler Registration and Decal**
- (a) Upon approval of an application submitted pursuant to Section 42955, the [Department] shall issue a waste and used tire hauler registration to be carried in the vehicle and a waste and used tire hauler decal to be permanently affixed to the lower right hand corner of the windshield.
- (b) Any person who operates a vehicle or who authorizes the operation of a vehicle that transports 10 or more tires without a valid and current waste and used tire hauler registration, as issued by the [Department] pursuant to Section 42955, shall be subject to the enforcement actions specified in Article 4 (commencing with Section 42962).
- (c) The waste and used tire hauler registration shall be presented upon demand of an authorized representative of the [Department].
- **Title 14 California Code of Regulations (14 CCR) Section 18459 – Waste Tire Manifest System Requirements.**
- (a) The Department will provide blank CalRecycle 203 forms at the time of initial or renewed waste tire hauler registration. These forms will be provided at no cost. Additional forms may be obtained from the Department by request.
- (1) In lieu of the first paragraph of Subsection (a), if approved on an individual basis by the Department pursuant to Public Resources Code Section 42961.5, any person that is subject to the CTL Form requirements of this section, may substitute their own functionally equivalent EDT form, once approved by the Department, in lieu of the Department required form and submit an electronic report within ninety (90) days of the load shipment to the Department. The hauler shall provide a copy of their Department approved form to the generator or end-use facility for every waste or used tire transaction.
- (b) The Manifest Form shall be completed and signed under penalty of perjury by the appropriate representative, and accompany each shipment of waste or used tires from the point of origin to the facility.
- (c) The following persons and entities shall comply with the Waste Tire Manifest System:
- (1) waste or used tire hauler when hauling any amount of waste or used tires at any one time with a registered vehicle;
  - (2) waste or used tire generator;
  - (3) Federal, State, and local governments when hauling 10 or more waste or used tires at any one time;
  - (4) person hauling 10 or more waste or used tires at any one time for agricultural purposes;
  - (5) exempted common carrier when hauling 10 or more waste or used tires at any one time;
  - (6) a facility when accepting 10 or more waste or used tires at any one time;
  - (7) any person not included in Section 18459(c)(1) through (6) who gives, contracts, or arranges to have 10 or more waste or used tires transported;
  - (8) any person not included in Section 18459(c)(1) through (6) who accepts 10 or more waste or used tires;
  - (9) Retreader when hauling any amount of waste or used tires at any one time with a registered vehicle.

## CALIFORNIA WASTE TIRE LAWS and REGULATIONS

### *Transportation of Waste & Used Tires*

□ **14 CCR Section 18459.1 – Tire Program Identification Number.**

- (a) On or after July 1, 2003, every waste tire generator shall apply for and obtain a CalRecycle assigned Tire Program Identification Number for each location from which waste or used tires are generated and transported from. Each separate business location shall be assigned a unique site specific Tire Program Identification Number. The Department shall issue a Tire Program Identification Number certificate for each location, which shall be posted by the operator in a conspicuous place.
- (b) On or after July 1, 2003, every end-use facility shall apply for and obtain a CalRecycle issued Tire Program Identification Number for each location where waste or used tires are accepted. Each separate business location shall be assigned a unique site specific Tire Program Identification Number.
- (c) Every waste tire hauler shall be assigned a CalRecycle issued Tire Program Identification Number, if not already assigned, at the time of registration.
- (d) Every waste tire generator, or end-use facility shall submit written notification to the Department upon any change of business operator or owner, business name, business address, or mailing address within 10 days of the change.

□ **14 CCR Section 18459.2.1 – Submittal of the Manifest Form to the Department.**

As provided in this section, the Manifest Form as defined in Section 18450 of this Article shall be submitted to the Department by the waste tire hauler.

- (a) The waste tire hauler shall submit the completed original CTL Form to the Department within ninety (90) days of the load shipment. The Manifest Form shall be in the waste tire hauler's possession while transporting waste or used tires and shall be shown upon demand to any representative of the Department, any officer of the California Highway Patrol, any peace officer, as defined in Sections 830.1 or 830.2 of the California Penal Code, or any local public officer designated by the Department.
- (b) If approved by the Department pursuant to Public Resources Code Section 42961.5, any person that is subject to the requirements set forth in above (a) may substitute their own functionally equivalent EDT form, once approved by the Department, in lieu of the Department required form and submit an electronic report within ninety (90) days of the load shipment to the Department, in lieu of submitting the required paper form pursuant to Section 18459.1.2. The electronic report shall include all information required to be on the CTL Form.

□ **14 CCR Section 18459.3 – Maintenance of Manifest Forms.**

- (a) The waste tire generator, and end-use facility shall retain a copy of the completed Manifest Form at their place of business. Manifest Forms shall also be retained for three (3) years. These records shall be made available to any authorized representative of the Department upon request.
- (b) The waste tire hauler shall retain a copy of the completed Manifest Form at their place of business for a period of three (3) years. These records shall be made available to any authorized representative of the Department upon request.

□ **14 CCR Section 18460.1.1 – Waste Tire Manifest System Requirements for Common Carrier Exemption.**

- (a) As provided in Section 18459(b), the common carrier approved for exemption pursuant to Public Resource Code Section 42954 shall not transport 10 or more waste or used tires without having a copy of the Manifest Form in the vehicle while transporting the waste or used tires.
- (b) The exempt common carrier shall leave one copy of the Manifest Form with the waste tire generator, or end-use facility after the form has been completed with the required information. The common carrier is required to have in their possession a completed Manifest Form while transporting 10 or more waste

## CALIFORNIA WASTE TIRE LAWS and REGULATIONS

### *Transportation of Waste & Used Tires*

or used tires. The Manifest Form may be kept with the trailer, as defined in Section 630 of the Vehicle Code, if the Manifest Form is readily accessible to the driver, any representative of the Department, any officer of the California Highway Patrol, any peace officer, as defined in Sections 830.1 or 830.2 of the Penal Code, or any local public officer designated by the Department.

- (1) If the final destination is a port terminal, the exempt common carrier shall leave the waste tire generator with a completed Manifest Form and confirming freight transport documentation, which includes, but is not limited to, bills of lading, sales receipts, and shipping invoices. For purposes of this section, the waste tire generator shall be the person who originates the shipment of waste or used tires to the port terminal. The completed Manifest Form shall show the port terminal operator as the final destination.
  - (c) In lieu of Subsection (b), the waste tire generator is authorized by the Department to complete the Manifest Form in advance, including the end-use facility destination information on behalf of the exempt common carrier. This transport process may commonly occur at ports. The waste tire generator shall retain the generator portion of the Manifest Form for their records, submit the CalRecycle copy to the Department within 90 days of the initial shipment, and give the end use facility portion of the manifest and the hauler portion of the manifest to the exempt common carrier prior to shipment of the tires to the end-use facility. The common carrier shall retain their portion of the completed Manifest Form for their records.
    - (1) The exempt common carrier will have the end-use facility and hauler portions of the Manifest Form in their possession until reaching the final destination.
    - (2) This process does not alleviate the exempt common carrier of their responsibility to follow the manifesting requirements of this Chapter should the generator fail to follow the process outlined in this subsection.
  - (d) The waste tire generator shall not contract with the exempt common carrier to transport waste or used tires to an end-use facility not legally authorized to accept waste or used tires.
  - (e) The exempt common carrier shall not transport waste or used tires to an end-use facility not legally authorized to accept waste or used tires.
  - (f) Except as provided in Subsection (c), the common carrier shall submit the completed original Manifest Form to the Department within ninety (90) days of the load shipment. The Manifest Form shall contain the signature of the common carrier representative.
  - (g) The common carrier shall contact the Department and provide the name of the company, name of the person, and phone number of a waste tire generator, or end-use facility that does not provide the required information to the exempt common carrier so that the Manifest Form can be completed properly.
- **14 CCR Section 18460.2 – Waste Tire Manifest System Requirements for Registered Waste Tire Haulers.**
- (a) The registered waste tire hauler shall show the waste or used tire generator or end use facility the waste tire hauler registration for the vehicle being used to transport waste or used tires, if requested.
  - (b) The registered waste tire hauler shall complete a new Manifest Form for each pick-up or delivery of any waste or used tires in accordance with the directions on the form. The waste tire hauler shall not transport any waste or used tires without having a copy of the Manifest Form in the vehicle transporting the waste or used tires.
  - (c) A vehicle may contain waste or used tires from different waste or used tire generators. Waste or used tires from each generator shall be accompanied by their own Manifest Form from the point of origin.

## CALIFORNIA WASTE TIRE LAWS and REGULATIONS

### *Transportation of Waste & Used Tires*

- (d) The waste tire hauler shall leave one copy of the Manifest Form with the waste or used tire generator, or end-use facility after the form or receipt has been completed.
  - (1) If the final destination is a port terminal, the registered waste tire hauler shall leave the waste tire generator with a completed Manifest Form and confirming freight transport documentation, which includes, but is not limited to, bills of lading, sales receipts, and shipping invoices. For purposes of this section, the waste tire generator shall be the person who originates the shipment of waste or used tires to the port terminal. The completed Manifest Form shall show the port terminal operator as the final destination.
- (e) The waste tire hauler shall keep one copy of the completed Manifest Form.
- (f) The waste tire hauler shall not haul waste or used tires to an end-use facility not legally authorized to accept waste or used tires.
- (g) The waste tire hauler shall contact the Department and provide the name of the company, name of the person, and phone number of the waste tire generator, or end-use facility who does not provide the necessary information to the hauler so that the Manifest Form can be completed properly.
- (h) The waste tire hauler shall not transport the waste or used tires without a properly completed Manifest Form.
- (i) Those waste and used tire haulers exempt from registration pursuant to Public Resources Code section 42954 shall be required to comply with the manifest requirements of Subsections (b) through (h) if they haul 10 or more waste or used tires, but will not be allowed to participate in the electronic reporting as provided in Subsection (j).
- (j) As provided in Section 18459(a)(1), the registered waste tire hauler may substitute their own functionally equivalent form, once approved by the Department, and substitute an electronic report for the Comprehensive Trip Log.

□ **14 CCR Section 18461 – Manifest System Requirements for Waste Tire End-Use Facilities.**

The Waste Tire Manifest System requires specific actions on the part of end-use facilities including, but not limited to, the following:

- (a) As provided in Section 18459.3(a), an end-use facility shall retain a copy of the Manifest Form provided by the registered hauler.
  - (1) If the end-use facility is a port terminal, the registered waste tire hauler or exempt common carrier shall leave the waste tire generator with a completed Manifest Form and confirming freight transport documentation, which includes, but is not limited to, bills of lading, sales receipts, and shipping invoices. For purposes of this section, the waste tire generator shall be the person who originates the shipment of waste or used tires to the port terminal. The completed Manifest Form shall show the port terminal operator as the final destination.
- (b) The end-use facility may accept the waste or used tires from waste tire hauler(s) who are not registered with the Department and/or have no manifest as provided below:
  - (1) If waste or used tires are received from a registered hauler that does not have a Manifest Form, the end use facility shall complete the Unregistered Hauler & Comprehensive Trip Log Substitution Form (CalRecycle 204, New 8/05) within 48 hours of the tire delivery and submit the CalRecycle 204 form to the Department within 90 days.
  - (2) The end-use facility shall complete the CalRecycle 204 (New 8/05) and submit it to the Department within 30 days of the acceptance of 10 or more waste or used tires from a person who is not registered as a waste tire hauler unless that person has written authorization by the Solid Waste Enforcement Agency for purposes of an Amnesty Day Event or a One Time Exemption and is transporting no more than 20 waste or used tires to the end-use facility.

## CALIFORNIA WASTE TIRE LAWS and REGULATIONS

### *Transportation of Waste & Used Tires*

- (3) If the person is hauling more than 20 waste or used tires under the written authorization of a Solid Waste Enforcement Agency for purposes of an Amnesty Day Event or a One Time Exemption, the end-use facility shall report this information on the CalRecycle 204 (New 8/05) and submit the form to the Department within 30 days of the acceptance of waste or used tires from that person.
  - (c) End-use facility operators shall make available for review by the waste tire hauler any Department issued permit, exemption from waste tire facility permitting requirements, or any local permit or license allowing the storage of waste or used tires on the site.
  - (d) If the end-use facility completes and submits a CalRecycle 204 (New 8/05) under the requirements of this section, the end-use facility operator shall retain a copy of the completed CalRecycle 204 (New 8/05) at the place of business for a period of 3 years and the form shall be made available to the Department, or an authorized representative of the Department, upon request.
- **14 CCR Section 18462 – Manifest System Requirements for Waste Tire Generators.**
- (a) A waste tire generator shall not give, contract, or arrange with another person to transport waste or used tires unless that person is a registered waste tire hauler or is exempt under Public Resources Code Section 42954.
  - (b) As provided in Section 18459.3.(a), a waste tire generator shall retain a Department approved EDT form, completed CTL Form, or freight transport documentation provided by the waste or used tire hauler at their place of business for 3 years. For shipments to the port, the waste tire generator shall also retain the confirming freight transport documents at their place of business for three years.
  - (c) If waste or used tires are removed from the generator's location by a registered waste tire hauler and a completed Manifest Form is not provided, the generator shall complete a CalRecycle 204 (New 8/05) within 48 hours of the tire removal and submit the CalRecycle 204 (New 8/05) to the Department within 90 days.
  - (d) If waste or used tires are removed from a generator location in a manner not requiring manifesting as described in this Article, for each separate or commingled load of waste or used tires removed, the generator shall document the removal method, number of tires removed, and person employed to remove the waste or used tires from the generator location.
    - (1) The documentation described in subsection (d) shall include, but not be limited to:
      - (A) Bills of lading, receipts, and monthly billing statements between the generator and the person employed to remove the waste or used tires, and the contact information for that person, and
      - (B) Daily log entries prepared by the generator detailing the accumulation and removal of waste or used tires, the types of tires, and dates of removal.
    - (2) The documentation described in subsection (d) shall be retained for three (3) years and shall be made available to an authorized representative of the Department upon request.