

# State of South Dakota

SEVENTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 1998

400B0247

## SENATE BILL NO. 30

Introduced by: The Committee on Agriculture & Natural Resources at the request of the  
Department of Environment and Natural Resources

1 FOR AN ACT ENTITLED, An Act to provide for the proper disposal of waste tires and to  
2 provide for penalties for any violation thereof.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 34A-6 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 Any person hauling or transporting any waste tire as defined in subdivision 34A-6-61(25),  
7 originating from a wholesaler or retailer shall ensure the proper disposal of the waste tire at a  
8 department approved waste tire collection or processing site. The board may promulgate rules,  
9 pursuant to chapter 1-26, setting forth the requirements and procedures for department approval  
10 of waste tire collection or processing sites. Any waste tire hauler or transporter who disposes  
11 of any waste tire in a manner inconsistent with the provisions of this section is subject to a civil  
12 action by the State of South Dakota in circuit court for the recovery of a civil penalty of not  
13 more than ten thousand dollars per day per violation, or for costs to clean up sites not approved,  
14 or both. The violator is also subject to the criminal penalties provided for in § 34A-6-87.