

**65-3424. Definitions.** As used in K.S.A. 65-3424 through 65-3424i, and amendments thereto, unless the context otherwise requires:

- (a) Terms have the meaning provided by K.S.A. 65-3402, and amendments thereto.
- (b) "Abatement" means the processing or removing to an approved storage site of waste tires which are creating a danger or nuisance.
- (c) "Beneficial use" means the use or storage of waste tires in a way that:
  - (1) Creates an on-site economic benefit to the owner of the tires, including, but not limited to, bumpers for boat docks or boats, playground equipment, silo covers, traffic control, feed bunks, water tanks, windbreaks constructed of baled tires or in a manner consistent with rules and regulations of the secretary, erosion control on the face of an earthen dam and stabilization of soil or sand blow-outs caused by wind; and
  - (2) as determined by the secretary, causes no adverse impacts to human health or the environment and complies with all applicable zoning requirements.
- (d) "Contaminated waste tire" means a tire which, as determined in accordance with rules and regulations adopted by the secretary, is recovered in a project to abate a waste tire accumulation and is so coated by or filled with dirt, mud, sludge or other natural substances as to render the tire substantially unsuitable for processing.
- (e) "Illegal waste tire accumulation" means any waste tire pile containing more than 50 waste tires except the following:
  - (1) A waste tire accumulation on the premises of a facility which has been issued a permit by the secretary pursuant to K.S.A. 65-3407 or 65-3424b, and amendments thereto, and managed in accordance with the conditions of such permit; or
  - (2) a waste tire accumulation which is exempt from the waste tire collection center permit requirement pursuant to K.S.A. 65-3424b, and amendments thereto.
- (f) "Mobile waste tire processor" means a person who processes waste tires at other than a fixed site.
- (g) "Process" means: (1) Cut or otherwise alter whole waste tires so that they are no longer whole; or (2) bale for disposal or beneficial use.
- (h) "Store" or "storage" means the placing of waste tires in a manner that does not constitute disposal of the waste tires. Storage includes the beneficial use of waste tires as silo covers and such other beneficial uses as the secretary determines do not create health or environmental risks.
- (i) "Tire" means a continuous solid or pneumatic rubber covering used to encircle the wheel of a vehicle or aircraft, or an innertube of such a covering.
- (j) "Tire retailer" means a person in the business of selling new or used replacement tires at retail.
- (k) "Used tire" means a tire that: (1) Has been removed from a wheel following a period of use or remains on a wheel removed from a vehicle or aircraft following a period of use; and (2) has been determined to have value in accordance with rules and regulations established pursuant to subsection (e)(7) of K.S.A. 65-3424b, and amendments thereto.
- (l) "Vehicle" has the meaning provided by K.S.A. 8-1485, and amendments thereto, and includes implements of husbandry, as defined by K.S.A. 8-1427, and amendments thereto.
- (m) "Waste tire" means a whole tire that: (1) Has been removed from a wheel following a period of use or remains on a wheel removed from a vehicle or aircraft following a period of use; and (2) is no longer suitable for its original intended purpose because of wear, damage or defect.
- (n) "Waste tire collection center" means a site where used or waste tires are collected from the public or from customers of a business prior to being offered for recycling or disposal.
- (o) "Waste tire processing facility" means a fixed site where equipment is used to process waste tires.

**History:** L. 1990, ch. 319, § 1; L. 1991, ch. 197, § 1; L. 1996, ch. 173, § 1; L. 2000, ch. 103, § 1; L. 2001, ch. 126, § 1; L. 2003, ch. 130, § 16; July 1.