

BILL ANALYSIS

S.B. 1298
By: Armbrister
Environmental Regulation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law prohibits selling a motor vehicle that contains a fuel tank to a metal recycling entity. New recycling equipment has been developed that allows for safe and effective removal of fuel from a tank on a vehicle while the tank remains on the vehicle.

Senate Bill 1298 provides an exception to the restriction on the transfer of a fuel tank to a metal recycling entity if the fuel tank has been completely drained and rendered unusable.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTION 1 of this bill.

ANALYSIS

Senate Bill 1298 amends the Occupations Code to provide that a person is not prohibited from selling to a metal recycling entity a fuel tank that has been completely drained and rendered unusable in accordance with rules of the Texas Commission on Environmental Quality regardless of whether the fuel tank is attached to a motor vehicle. The bill amends the notice posted at a metal recycling facility.

EFFECTIVE DATE

September 1, 2005