

BILL ANALYSIS

Senate Research Center

H.B. 178
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Transportation & Homeland Security
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Older neighborhoods in the unincorporated areas of Harris County have been inundated with unregulated automobile wrecking and salvage yards and junkyards since Houston passed an ordinance in 1999 making it more difficult to operate such yards within its city limits. Several salvage yard owners have taken advantage of loopholes in regulations and enforcement, and the majority of these yards in northern Harris County violate state law with little fear of consequence. Several have relocated within a few feet of homes with backyard water wells that are extremely shallow despite a legal requirement that they may not be established within 300 feet of an existing church, school, or residence. And many are not following the law regarding the dismantling and storage of junked vehicles, which can lead to the contamination of groundwater and nearby waterways with gasoline, antifreeze, motor oil, and brake fluid. Most residents of these areas cannot afford the cost of testing their well water for volatile organic compounds that may be seeping into their ground water. Current law grants the county the authority to regulate automotive salvage yards and junkyards in its unincorporated areas, but the current fee of \$25 is insufficient to defray the cost of regulation, and neither the Harris County Permit Office nor the Environmental Public Health Office has resources that can be exclusively devoted to screening such yards.

H.B. 178 authorizes an ordinance adopted by a commissioners court in a county with a population of 3.3 million or more to impose a fee of not more than \$500 for the issuance or renewal of a license to operate such yards.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 396.041(c), Transportation Code, to authorize a county ordinance to impose a fee of not more than \$500 for the issuance or renewal of a license for junkyard or automotive wrecking and salvage yard if the ordinance is adopted by the commissioners court of a county with a population of 3.3 million or more.

SECTION 2. Makes application of Section 396.041, Transportation Code, as amended by this Act, prospective.

SECTION 3. Effective date: September 1, 2007.