

## **BILL ANALYSIS**

H.B. 178  
By: Bailey  
Transportation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Older neighborhoods in unincorporated Harris County have been inundated with unregulated automobile wrecking and salvage yards and junkyards since they began migrating to the area after the City of Houston passed an ordinance in 1999 making it harder to operate within the city limits. The majority of these locations in the northern Harris County are clearly violating state law with little fear of consequence. Disreputable salvage yard owners have taken advantage of loopholes in regulations and enforcement. Automobile wrecking and salvage yards and junkyards are locating within a few feet of homes with backyard water wells that are extremely shallow (25 -50 foot wells are common in the area) despite a legal requirement that they may not be established within 300 feet of an existing church, school, or residence. The dismantling and storage of these vehicles, when laws are not strictly adhered to, lead to the contamination of groundwater and nearby waterways with gasoline, antifreeze, motor oil, and brake fluid. Most area residents can not afford the cost of testing their well water for volatile organic compounds that may be seeping into their ground water.

Chapter 396 of the Transportation Code gives Harris County the authority to regulate automotive salvage yards and junkyards in unincorporated areas of the County, but the current fee of \$25 is insufficient to defray the cost of regulation. Neither the Harris County Permit Office nor the Environmental Public Health has the resources that can be exclusively devoted to screening auto salvage yards, and new businesses open regularly. The increased fee will provide funding for a dedicated workforce and the laboratory analysis of samples associated with inspections.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

Section 1. Amends Section 396.041(c) of the Transportation Code, so as to allow for an ordinance be made which imposes \$1,000 fee for issuance or renewal of a junkyard, automotive wrecking and salvage yard license.

Section 2. States that a change in the law made by Act to Section 396.041, Transportation Code, only affects license issuance or renewals on or after effective date.

Section 3. Effective date.

### **EFFECTIVE DATE**

September 1, 2007.