

By: Uresti

S.B. No. 2574

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of tire businesses and authorizing a fee for tire purchases for regulatory compliance in certain counties; creating an offense.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 234, Local Government Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. BUSINESSES RELATED TO AUTOMOBILE TIRES

Sec. 234.051. DEFINITIONS. In this subchapter:

(1) "Mobile tire repair business" means a business that repairs tires at any temporary location, including a roadway, alley, parking lot, or residence.

(2) "Used tire business" means a business or establishment at which used tires are collected, repaired, processed, recycled, scrapped, sold, bought, or stored, including a mobile tire repair business or a salvage yard.

Sec. 234.052. APPLICABILITY. This subchapter applies only to the unincorporated area of a county:

(1) with a population greater than 45,000 and less than 50,000; and

(2) that is adjacent to an international border.

Sec. 234.053. LICENSE OR PERMIT REQUIRED. The commissioners court of a county by order may require that the owner or operator of a mobile tire repair business or used tire business

1 obtain a license or permit from the county before engaging in
2 business in the county. The commissioners court by order may
3 establish a fee to be paid for a license or permit.

4 Sec. 234.054. SCRAP TIRE DISPOSAL FEE. The commissioners
5 court of a county by order may:

6 (1) establish a fee to be imposed on the purchase of an
7 automobile tire in the county; and

8 (2) require a retailer of automobile tires to collect
9 the fee and use the fee to comply with requirements associated with
10 the disposal of scrap tires.

11 Sec. 234.055. RULES. The commissioners court of a county
12 may adopt rules as necessary to administer this subchapter.

13 Sec. 234.056. INJUNCTION. A district or county attorney
14 may bring suit to enjoin the operations of a mobile tire repair
15 business, used tire business, or tire retailer in violation of an
16 order or rule adopted under this subchapter.

17 Sec. 234.057. OFFENSE. A person commits an offense if the
18 person violates an order adopted under this subchapter. An offense
19 under this section is a Class C misdemeanor.

20 SECTION 2. This Act takes effect September 1, 2009.