

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 a county:

- (1) with a population greater than 45,000;
- (2) in which there is located an Indian reservation under the jurisdiction of the United States government; and
- (3) 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

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

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

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

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

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

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

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

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