

1-1 By: Uresti S.B. No. 2574  
1-2 (In the Senate - Filed May 5, 2009; May 6, 2009, read first  
1-3 time and referred to Committee on Natural Resources; May 13, 2009,  
1-4 reported adversely, with favorable Committee Substitute by the  
1-5 following vote: Yeas 8, Nays 0; May 13, 2009, sent to printer.)

1-6 COMMITTEE SUBSTITUTE FOR S.B. No. 2574 By: Uresti

1-7 A BILL TO BE ENTITLED  
1-8 AN ACT

1-9 relating to the regulation of tire businesses and authorizing a fee  
1-10 for tire purchases for regulatory compliance in certain counties;  
1-11 creating an offense.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Chapter 234, Local Government Code, is amended  
1-14 by adding Subchapter C to read as follows:

1-15 SUBCHAPTER C. BUSINESSES RELATED TO AUTOMOBILE TIRES

1-16 Sec. 234.051. DEFINITIONS. In this subchapter:

1-17 (1) "Mobile tire repair business" means a business  
1-18 that repairs tires at any temporary location, including a roadway,  
1-19 alley, parking lot, or residence.

1-20 (2) "Used tire business" means a business or  
1-21 establishment at which used tires are collected, repaired,  
1-22 processed, recycled, scrapped, sold, bought, or stored, including a  
1-23 mobile tire repair business or a salvage yard.

1-24 Sec. 234.052. APPLICABILITY. This subchapter applies only  
1-25 to a county:

1-26 (1) with a population greater than 45,000 and less  
1-27 than 50,000; and

1-28 (2) that is adjacent to an international border.

1-29 Sec. 234.053. LICENSE OR PERMIT REQUIRED. The  
1-30 commissioners court of a county by order may require that the owner  
1-31 or operator of a mobile tire repair business or used tire business  
1-32 obtain a license or permit from the county before engaging in  
1-33 business in the county. The commissioners court by order may  
1-34 establish a fee to be paid for a license or permit.

1-35 Sec. 234.054. SCRAP TIRE DISPOSAL FEE. The commissioners  
1-36 court of a county by order may:

1-37 (1) establish a fee to be imposed on the purchase of an  
1-38 automobile tire in the county; and

1-39 (2) require a retailer of automobile tires to collect  
1-40 the fee and use the fee to comply with requirements associated with  
1-41 the disposal of scrap tires.

1-42 Sec. 234.055. RULES. The commissioners court of a county  
1-43 may adopt rules as necessary to administer this subchapter.

1-44 Sec. 234.056. INJUNCTION. A district or county attorney  
1-45 may bring suit to enjoin the operations of a mobile tire repair  
1-46 business, used tire business, or tire retailer in violation of an  
1-47 order or rule adopted under this subchapter.

1-48 Sec. 234.057. OFFENSE. A person commits an offense if the  
1-49 person violates an order adopted under this subchapter. An offense  
1-50 under this section is a Class C misdemeanor.

1-51 SECTION 2. This Act takes effect September 1, 2009.

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