

By: Walle, Morales

H.B. No. 3854

A BILL TO BE ENTITLED

AN ACT

relating to the storage, transportation, processing, and disposal
of scrap tires.

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

SECTION 1. Section 361.085, Health and Safety Code, is
amended by amending Subsections (k) and (l) and adding Subsections
(k-1) and (m) to read as follows:

(k) The commission shall require a bond or other financial
assurance as a condition of issuing a registration for the
transportation, storage, or processing of scrap tires, as that term
is defined in Section 361.112. The amount of the bond or other
financial assurance required must be sufficient to cover the
reasonable expenses of an immediate remedial or removal action
under Section 361.1125.

(k-1) A registered tire processor utilizing the tires for
energy recovery at an on-site cement kiln and other energy recovery
facilities the commission identifies by rule are not required to
provide financial assurance under this section.

(l) The commission may require financial assurance as
a condition of issuing a permit or registration for the collection,
transportation, or processing of grit trap waste or grease trap
waste. The amount of financial assurance required must be
consistent with the degree and duration of risk associated with the
type of waste authorized to be collected, transported, or

1 processed.

2 (m) [~~(l)~~] If the commission requires financial
3 assurance as a condition of a permit or registration under
4 Subsection (l) [~~(k)~~], provision of that financial assurance also
5 satisfies any requirement for financial assurance under Chapter
6 368.

7 SECTION 2. Section 361.112, Health and Safety Code, is
8 amended by adding Subsections (g-1) and (g-2) to read as follows:

9 (g-1) The commission shall issue a registration insignia to
10 each transporter. The transporter shall display the insignia on
11 each vehicle used to transport tires under the registration. The
12 insignia expires annually on a date specified by the commission.
13 The commission may adopt rules for issuing duplicate and multiple
14 insignia.

15 (g-2) The commission shall require a transporter to submit
16 an annual report on the records maintained by the transporter to the
17 commission in an electronic format using a form developed by the
18 commission. A transporter who fails to submit an annual report
19 under this subsection is not eligible to receive the annual
20 registration insignia and is subject to revocation of the
21 registration.

22 SECTION 3. This Act takes effect September 1, 2019.