

By: Jones of Dallas

H.B. No. 3282

A BILL TO BE ENTITLED

AN ACT

relating to the manufacture, transportation, storage, and disposal of new and scrap tires; authorizing a fee.

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

SECTION 1. The heading to Section 361.112, Health and Safety Code, is amended to read as follows:

Sec. 361.112. STORAGE, TRANSPORTATION, AND DISPOSAL OF USED OR SCRAP TIRES; MANUFACTURER TIRE IDENTIFICATION INFORMATION.

SECTION 2. Section 361.112, Health and Safety Code, is amended by adding Subsections (g-1), (g-2), (g-3), (g-4), (n), (o), and (p) to read as follows:

(g-1) Not later than one month after the date a tire is manufactured in this state, the manufacturer shall submit to the commission information that uniquely identifies the tire. The manufacturer may submit the information on a date later than one month after the tire manufacture date if the manufacturer requests a later submission date that is approved by the commission.

(g-2) A transporter of scrap tires or a storage site or disposal and storage facility for scrap tires shall electronically sign and submit a manifest prepared under this section to the commission on the initial transfer of each shipment of scrap tires to the transporter, site, or facility.

(g-3) The commission by rule shall prescribe requirements for a scrap tire tagging system. A manifest prepared and submitted

1 under this section must include a reference to the tagging system
2 and uniquely identify each tire received from a transporter of
3 scrap tires.

4 (g-4) A transporter of scrap tires is liable for each scrap
5 tire transported to a storage site or disposal facility that is not
6 registered or permitted under this section. The commissioners
7 court of the county in which the improper storage or disposal of the
8 scrap tire occurs may impose a fine on the transporter in an amount
9 not to exceed \$500 per tire.

10 (n) The commissioners court of a county in which is located
11 a generator of scrap tires who uses an unregistered transporter to
12 transport tires may:

13 (1) impose a fine in an amount not to exceed \$500 on
14 the generator for each scrap tire the unregistered transporter
15 transports; or

16 (2) suspend or revoke any license or permit to sell
17 tires the county has issued to the generator.

18 (o) The commissioners court of a county may:

19 (1) impose a fee of not more than \$5 for each tire
20 disposal in the county; and

21 (2) transfer 50 cents of the fee imposed under
22 Subdivision (1) to the commission.

23 (p) The commissioners court of a county:

24 (1) shall deposit a fine or fee collected under this
25 section into an account administered by the county for the purpose
26 of disposing of, mitigating the effects from disposal of, and
27 recycling tires; and

1 (2) may use any fines or fees collected under this
2 section to establish a tire recycling facility in the county.

3 SECTION 3. This Act takes effect September 1, 2023.