

SUBJECT: Modifying fees for county-issued junkyard or salvage yard licenses

COMMITTEE: County Affairs — favorable, without amendment

VOTE: 7 ayes — Coleman, Farias, Burrows, Romero, Schubert, Spitzer, Wu

2 nays — Stickland, Tinderholt

WITNESSES: For — Rhonda Tiffin, Webb County; (*Registered, but did not testify:* Patti Jones, Lubbock County; Will Jones, McLennan County; Rick Thompson, Texas Association of Counties; Donald Lee, Texas Conference of Urban Counties; John Brieden, Washington County)

Against — None

BACKGROUND: Transportation Code, ch. 396 regulates junkyards and automotive wrecking and salvage yards. Under sec. 396.041, the commissioners court of a county may by ordinance require a junkyard or automotive wrecking and salvage yard to be licensed. The ordinance may impose a licensing fee of no more than \$500 on junkyards or automotive wrecking and salvage yards that operate in Harris County, and an ordinance in Tarrant County may charge a licensing fee of no more than \$150. Other counties may charge a licensing fee of \$25.

County licensing does not apply to a recycling business or a junkyard or automotive wrecking and salvage yard that is located in and regulated by a municipality or that was operating before June 1, 1987.

DIGEST: HB 2007 would modify current law governing the issuance and renewal of a county-issued license to a junkyard or automotive wrecking and salvage yard. An ordinance adopted by the commissioners court of a county with a population of less than one million may impose a fee for such a license in an amount necessary to pay for the administration and enforcement of that ordinance.

This bill would take effect September 1, 2015.

**SUPPORTERS
SAY:** HB 2007 would allow for certain counties to partially recover the cost of multiple failed inspections of junkyards and automotive wrecking and salvage yards. In many counties, these operations must satisfy a county inspection and pay a \$25 application fee for a license. Due to the size of certain Texas counties, inspectors may travel more than 100 miles to inspect a site, and an operation may have multiple inspections before being approved for a license.

A site that has had multiple failed inspections can cost the county significant time and money in transportation and personnel costs. HB 2007 would give counties the opportunity to recoup the costs of multiple failed inspections by permitting county-issued licensing fees to cover costs necessary to administer or enforce licensing requirements.

**OPPONENTS
SAY:** HB 2007 would permit counties to impose an additional fee on private business owners. Businesses already must pay a multitude of taxes and fees to operate in the state, which restricts their ability to build revenue and grow.

**OTHER
OPPONENTS
SAY:** HB 2007 would not go far enough to ensure that these operations become compliant. This bill would not decrease the number of junkyards or automotive wrecking and salvage yards out of compliance with state code because the fee associated with the inspections likely would be inconsequential and not effective to push operators into compliance.