

BILL ANALYSIS

Senate Research Center
83R23173 JRR-D

H.B. 3085
By: Walle (Garcia)
Transportation
5/10/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties contend that various automotive wrecking and salvage yards in Harris County are liable to be in violation of statutes regarding the regulation of automotive wreckage and salvage yards. The presence of junkyards lowers property values, diminishes quality of life, and presents a health risk to area residents.

H.B. 3085 seeks to deter bad actors in this industry by increasing the maximum civil penalty for violating Chapter 397 (Automobile Wrecking and Salvage Yards in Certain Counties) of the Transportation Code from \$1,000 to \$5,000. This bill only applies to unincorporated portions of Harris County.

The penalty increase will apply to the requirements of junkyards to maintain gated fencing; allow authorized health and safety officials to access and inspect junkyards; remove gasoline from all vehicles; drain their lots; and maintain a proper distance from schools, churches, and residences.

H.B. 3085 amends current law relating to the regulation of automotive wrecking and salvage yards in certain counties, and increases the civil penalty.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 397.0125(a), Transportation Code, as follows:

(a) Provides that, in addition to the penalty provided by Section 397.012, a person who operates an automotive wrecking and salvage yard in violation of this chapter is liable for a civil penalty of not less than \$500 or more than \$5,000, rather than \$1,000, for each violation. Authorizes a separate penalty to be imposed for each day a continuing violation occurs.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2013.