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Please find the original analysis for SB 570 Sponsored by Rep. Armando Walle. The LSG's recommendation is **Favorable** and request you **support** Rep. Walle's motion to reconsider the vote by which it failed yesterday.

<p>SB 570 By: Rodriguez / et al. SP: Walle</p>	<p>Relating to the regulation of the retention, storage, transportation, disposal, processing, and reuse of used or scrap tires; providing a civil penalty; creating a criminal offense.</p>	<p>Environmental Regulation</p>	<p>SB 570 sets forth new regulations in order to deal with the illegal dumping of tires. By amending the Health and Safety code all used or scrap tires within a facility must be contained to prevent theft. Additionally, if a project requires the use of 1,000 or more tires than the person must receive approval from TCEQ which involves the consideration of the health and safety impact on the community. A tire is considered scrap when it no longer has the viable amount of tread as defined by DPS and cannot be used for its original intended purpose.</p> <p>After removal by a retailer, a customer may keep both a used or scrap tire but it must be inventoried by the retailer that a scrap tire was taken, which the customer may keep for up to three years. A notice of this regulation must be posted in the establishment. Scrap tires that are kept by the retailer must be disposed of properly.</p> <p>A generator of used or scrap tires must only use transporters that are registered by the TCEQ and carries financial assurance. A generator that knowingly uses an unregistered transporter will be responsible for the same criminal and civil penalties as the transporter. Additionally, there will be a civil penalty of \$1,000 for each violation and a separate penalty can be added for each day of the violation.</p> <p>A transporter or tire processor with under 500 tires must register with TCEQ annually, which they will receive a vehicle insignia. There are exemptions to these provisions for: municipalities; for someone returning tires to a manufacturer and those retreading tires; and, individuals who have 5 or less tires. The transporter will also be responsible for providing financial assurance of \$25,000 or more either through a bond, a trust account, or certification of a credit limit. The tire processor is responsible for an amount to sufficiently finance a cleanup and closure of a site. Records must be kept by the transporter to ensure that all tires are accounted for and delivered to an appropriate storage site and the records will be submitted to TCEQ annually. A transporter that fails to meet the requirements of this provision will not have their registration renewed.</p>	<p>Favorable Evaluated by: Erin Eriksen 210-382-4295 Erin@Texaslsg.org</p>
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<p>An individual who recklessly violates these provisions could face up to \$50,000 in penalties and/or up to a year in prison; a business or corporation could face up to \$100,000 in penalties. An individual who knowingly or intentionally violates these provisions could face \$100,000 in penalties and up to 2 years in prison; a business could be fined up to \$250,000.</p>
<p>Illegal dumping of tires is a huge problem in Texas. Tires clog up drainage ditches, are an eyesore for communities that hurt property values, and are an environmental hazard. However, and most notably, dumping illegal tires has a huge impact on public health. When tires are burned as a means of removal particles and noxious chemicals are released into the air. Tires are also a perfect breeding ground for mosquitoes as they hold water, and provide for and protect the larvae. Reducing the number of illegal tires could have a significant impact in lowering mosquito populations up to 30 - 40 percent. The species of mosquito that carries the Zika virus needs a much smaller amount of water (a bottle caps worth) to breed. This type of source reduction on mosquito populations caused by man-made malfeasance is only common sense.</p>

