

KEY POINTS
SB 1095
81ST LEGISLATURE

- Creates Texas Used Automotive Parts Recycling Act in Chapter 2309, Occupations Code.
- Transfers regulation of used automotive parts recyclers from the Texas Department of Transportation (TxDOT) to the Texas Department of Licensing & Regulation (TDLR), the state's umbrella occupational regulatory agency.
- Creates the Texas Automotive Parts Recycling Advisory Board to provide advice and recommendations to the TDLR on technical matters relevant to the administration and enforcement of provisions of the bill.
- Provides for the licensing of used automotive parts recyclers and sets forth licensing requirements – TDLR issued license required September 1, 2010.
- Provides for the licensing of employees of used automotive parts recycler employ who acquire and sell parts– TDLR issued license required September 1, 2010.
- Authorizes TDLR to conduct criminal background checks on all applicants.
- Requires salvage vehicle dealers to have a used automotive parts recyclers license if the sale of used parts is more than incidental to their business.
- Requires TDLR to inspect all automotive parts recycling facilities at least every two years and authorizes TDLR to do additional risk-bases inspections of facilities in violation.
- Authorizes TDLR to impose an administrative penalty on a person, regardless of whether the person holds a license under these provisions, if the person violates the provisions or a related rule or a rule or order of the executive director or commission.
- Provides that penalties may not be imposed unless the person charged with a violation is provided the opportunity for a hearing.
- Authorizes the attorney general or executive director to institute an action for an injunction or a civil penalty relating to provisions of the bill and authorizes TDLR to impose administrative sanctions.
- Provides that it is a Class C misdemeanor to violate the licensing requirements, deal in used parts without a license, or employ an individual who does not hold the appropriate license.
- Streamlines statutory reporting requirements to accurately reflect current regulatory requirements and industry practices.