

SENATE AMENDMENTS

2nd Printing

By: Phelan

H.B. No. 2774

A BILL TO BE ENTITLED

AN ACT

relating to the installation of unsafe motor vehicle tires;
creating a criminal offense.

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

SECTION 1. Chapter 727, Transportation Code, is amended by
adding Section 727.005 to read as follows:

Sec. 727.005. INSTALLATION OF UNSAFE TIRES; OFFENSE. (a) A
person commits an offense if:

(1) the person owns or operates a business that
installs tires on motor vehicles;

(2) the person or an employee of the person installs a
tire on a motor vehicle to be used on a public street or highway;

(3) the tire is or will be subject to inspection under
Section 548.051; and

(4) the person knows that the tire:
(A) has tire tread less than one-sixteenth of an
inch deep;

(B) has a localized worn spot that exposes the
ply or cord through the tread;

(C) has a tread or sidewall crack, cut, or snag as
measured on the outside of the tire that is more than one inch long
and deep enough to expose the body cords;

(D) has any visible bump, bulge, or knot
apparently related to tread or sidewall separation or partial

1 failure of the tire structure, including bead area;

2 (E) has been regrooved or recut below the
3 original groove depth, except for a special regroovable tire that
4 has extra undertread rubber for that purpose and is identified as a
5 regroovable tire;

6 (F) has been repaired temporarily by the use of a
7 blowout patch or boot;

8 (G) has worn tread wear indicators that contact
9 the road in any two adjacent major grooves in the center or middle
10 of the tire; or

11 (H) does not otherwise meet applicable
12 Department of Public Safety safety standards for the tire adopted
13 under Section 547.101.

14 (b) An offense under this section is a misdemeanor
15 punishable by a fine of not less than \$100 or more than \$500.

16 SECTION 2. This Act takes effect September 1, 2017.

ADOPTED

MAY 22 2017

Leta Spaw
Secretary of the Senate

By: Phelan/Rodriguez

H.B. No. 2774

Substitute the following for H.B. No. 2774:

By: Rodriguez

C.S. H.B. No. 2774

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the installation of unsafe motor vehicle tires;
3 creating a criminal offense.

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

5 SECTION 1. Chapter 727, Transportation Code, is amended by
6 adding Section 727.005 to read as follows:

7 Sec. 727.005. INSTALLATION OF UNSAFE TIRES; OFFENSE. (a) A
8 person commits an offense if:

9 (1) the person owns or operates a business that
10 installs tires on motor vehicles;

11 (2) the person or an employee of the person installs a
12 tire on a motor vehicle to be used on a public street or highway;

13 (3) the tire is or will be subject to inspection under
14 Section 548.051; and

15 (4) the person knows that the tire:

16 (A) has tire tread less than one-sixteenth of an
17 inch deep;

18 (B) has a localized worn spot that exposes the
19 ply or cord through the tread;

20 (C) has a tread or sidewall crack, cut, or snag as
21 measured on the outside of the tire that is more than one inch long
22 and deep enough to expose the body cords;

23 (D) has any visible bump, bulge, or knot
24 apparently related to tread or sidewall separation or partial

1 failure of the tire structure, including bead area;

2 (E) has been regrooved or recut below the
3 original groove depth, except for a special regroovable tire that
4 has extra undertread rubber for that purpose and is identified as a
5 regroovable tire;

6 (F) has been repaired temporarily by the use of a
7 blowout patch or boot;

8 (G) has worn tread wear indicators that contact
9 the road in any two adjacent major grooves in the center or middle
10 of the tire; or

11 (H) does not otherwise meet applicable
12 Department of Public Safety safety standards for the tire adopted
13 under Section 547.101.

14 (b) This section does not apply to the reinstallation of a
15 tire on a motor vehicle that had been removed from the motor
16 vehicle.

17 (c) An offense under this section is a misdemeanor
18 punishable by a fine of not less than \$100 or more than \$500.

19 SECTION 2. This Act takes effect September 1, 2017.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 23, 2017

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2774 by Phelan (Relating to the installation of unsafe motor vehicle tires; creating a criminal offense.), **As Passed 2nd House**

<p>No fiscal implication to the State is anticipated.</p>

The bill would amend the Transportation Code creating an offense for installing unsafe motor vehicle tires. The offense would be a misdemeanor punishable by fine only.

The bill would take effect September 1, 2017.

Local Government Impact

An offense under the provisions of the bill is a misdemeanor punishable by a fine of not less than \$100 or more than \$500. Costs associated with enforcement and prosecution could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal impact.

Source Agencies:

LBB Staff: UP, SD, AG, GG, BM, JGA

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 18, 2017

TO: Honorable Robert Nichols, Chair, Senate Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2774 by Phelan (Relating to the installation of unsafe motor vehicle tires; creating a criminal offense.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Transportation Code creating an offense for installing unsafe motor vehicle tires. The offense would be a misdemeanor punishable by fine only.

The bill would take effect September 1, 2017.

Local Government Impact

An offense under the provisions of the bill is a misdemeanor punishable by a fine of not less than \$100 or more than \$500. Costs associated with enforcement and prosecution could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal impact.

Source Agencies:

LBB Staff: UP, AG, GG, BM, JGA

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 12, 2017

TO: Honorable Robert Nichols, Chair, Senate Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2774 by Phelan (Relating to the installation of unsafe motor vehicle tires; creating a criminal offense.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would amend the Transportation Code creating an offense for installing unsafe motor vehicle tires. The offense would be a misdemeanor punishable by fine only.

The bill would take effect September 1, 2017.

Local Government Impact

An offense under the provisions of the bill is a misdemeanor punishable by a fine of not less than \$100 or more than \$500. Costs associated with enforcement and prosecution could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal impact.

Source Agencies:

LBB Staff: UP, AG, GG, BM, JGA

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 11, 2017

TO: Honorable Geanie W. Morrison, Chair, House Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2774 by Phelan (Relating to the installation of unsafe motor vehicle tires; creating a criminal offense.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Transportation Code creating an offense for installing unsafe motor vehicle tires. The offense would be a misdemeanor punishable by fine only.

The bill would take effect September 1, 2017.

Local Government Impact

An offense under the provisions of the bill is a misdemeanor punishable by a fine of not less than \$100 or more than \$500. Costs associated with enforcement and prosecution could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal impact.

Source Agencies:

LBB Staff: UP, AG, GG, BM, JGA