

AN ACT

relating to rail relocation and improvement in the state.

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

SECTION 1. (a) The Texas Department of Transportation shall conduct a study to determine the economic feasibility of relocating freight trains that carry hazardous materials away from residential areas of the state in municipalities with a population of more than 1.2 million. The study must include an evaluation of cost options for the relocation of freight trains from residential areas.

(b) Not later than March 1, 2008, the Texas Department of Transportation shall report the results of the study conducted under Subsection (a) of this section to the governor and the legislature.

SECTION 2. Section 386.109, Health and Safety Code, is amended to read as follows:

Sec. 386.109. ELIGIBLE INFRASTRUCTURE PROJECTS. The commission may consider for funding under Section 386.108:

(1) the purchase and installation at a site of equipment that is designed primarily to dispense qualifying fuel, other than standard gasoline or diesel, or the purchase of on-site mobile fueling equipment;

(2) infrastructure projects, including auxiliary power units, designed to dispense electricity to motor vehicles and

1 on-road and non-road diesels; [~~and~~]

2 (3) a project that involves a technology that allows a  
3 vehicle to replace with electric power, while the vehicle is  
4 parked, the power normally supplied by the vehicle's internal  
5 combustion engine; and

6 (4) a project to reduce air pollution and engine  
7 idling by relieving congestion through rail relocation or  
8 improvement at a rail intersection that is located in a  
9 nonattainment or near nonattainment area.

10 SECTION 3. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2007.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 160 was passed by the House on May 9, 2007, by the following vote: Yeas 144, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 160 on May 25, 2007, by the following vote: Yeas 140, Nays 0, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 160 was passed by the Senate, with amendments, on May 23, 2007, by the following vote: Yeas 29, Nays 1.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor