

By: Giddings

H.B. No. 1072

A BILL TO BE ENTITLED

AN ACT

relating to the low income vehicle repair assistance, retrofit, and accelerated vehicle retirement program.

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

SECTION 1. Section 382.209, Health and Safety Code, is amended by adding Subsections (i) and (j) to read as follows:

(i) A participating county shall authorize monetary or other compensation to the eligible vehicle owner if all requirements for eligibility are met and funding is available. The compensations shall be:

(1) no more than \$900 and no less than \$40 per vehicle to be used for emission-related repairs or retrofits performed at recognized emissions repair facilities, including diagnostics tests performed on the vehicle; or

(2) no more than \$1500 and no less than \$1000 per, vehicle, including diagnostic tests, to be used toward a replacement vehicle for the accelerated retirement of an eligible vehicle.

(j) For accelerated vehicle retirement, provided that the maximum and minimum levels in subsection (i) (2) are met and eligibility requirements are met, a participating county may set a specific level of compensation or implement a level of compensation schedule that allows flexibility. The commission, by rule, shall adopt criteria for determining the amount of financial assistance.

1 SECTION 2. Section 382.210, Health and Safety Code, is  
2 amended to read as follows:

3 § 382.210. IMPLEMENTATION GUIDELINES. The  
4 commission by rule shall adopt guidelines to assist a participating  
5 county in implementing a low-income vehicle repair assistance,  
6 retrofit, and accelerated vehicle retirement program authorized  
7 under Section 382.209. The guidelines at a minimum shall recommend:

8 ~~[(1) a minimum and maximum amount for repair  
9 assistance;~~

10 ~~[(2) a minimum and maximum amount toward the purchase  
11 price of a replacement vehicle qualified for the accelerated  
12 retirement program;]~~

13 (1) ~~[(3)]~~ criteria for determining eligibility,  
14 taking into account:

- 15 (A) the vehicle owner's income;
- 16 (B) the fair market value of the vehicle; and
- 17 (C) any other relevant considerations;

18 (2) ~~[(4)]~~ safeguards for preventing fraud in the  
19 repair, purchase, or sale of a vehicle in the program; and

20 (3) ~~[(5)]~~ procedures for determining the degree and  
21 amount of repair assistance a vehicle is allowed, based on:

- 22 (A) the amount of money the vehicle owner has spent  
23 on repairs;
- 24 (B) the vehicle owner's income; and
- 25 (C) any other relevant factors.

26 SECTION 3. This Act takes effect September 1, 2007.