

By: Van de Putte, Duncan

S.B. No. 1609

A BILL TO BE ENTITLED

AN ACT

relating to the operation of hydrogen-powered motor vehicles.

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

SECTION 1. Section 224.153, Transportation Code, is amended by adding Subsections (e), (f), and (g) to read as follows:

(e) A hydrogen-powered motor vehicle may use a high occupancy vehicle lane regardless of the number of occupants in the vehicle unless the use would impair the receipt of federal transit funds.

(f) The department shall by rule determine the best method for implementing the use of high occupancy vehicle lanes by hydrogen-powered motor vehicles under Subsection (e).

(g) In this section, "hydrogen-powered motor vehicle" means a vehicle that meets the Phase II standards established by the California Air Resources Board as of September 1, 2007, for an ultra low-emission vehicle II or stricter Phase II emission standards established by that board and:

(1) is hydrogen power capable and has a fuel economy rating of at least 45 miles per gallon; or

(2) is fully hydrogen-powered.

SECTION 2. Subtitle G, Title 6, Transportation Code, is amended by adding Chapter 371 to read as follows:

CHAPTER 371. PROVISIONS APPLICABLE TO MORE THAN

ONE TYPE OF TOLL PROJECT

1 Sec. 371.001. HYDROGEN-POWERED MOTOR VEHICLES. (a) In
2 this chapter:

3 (1) "Department" means the Texas Department of
4 Transportation.

5 (2) "Hydrogen-powered motor vehicle" has the meaning
6 assigned by Section 224.153(g).

7 (3) "Toll project" means a toll project described by
8 Section 201.001(b), regardless of whether the toll project is:

9 (A) a part of the state highway system; or

10 (B) subject to the jurisdiction of the
11 department.

12 (4) "Toll project entity" means an entity authorized
13 by law to acquire, design, construct, finance, operate, and
14 maintain a toll project, including:

15 (A) the department under Chapter 227 or 228;

16 (B) a regional tollway authority under Chapter
17 366;

18 (C) a regional mobility authority under Chapter
19 370; or

20 (D) a county under Chapter 284.

21 (b) A toll project entity may not require a hydrogen-powered
22 motor vehicle to pay a toll for the use of a toll project.

23 (c) The department shall by rule provide procedures for
24 implementing this section through the use of toll tags.

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