

BILL ANALYSIS

Senate Research Center

H.B. 432
By: Lucio III et al. (Estes)
Natural Resources
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

As of January 2006, the fleet size for all state agencies totaled over 20,000 vehicles. These fleet vehicles are used for the transportation of materials and staff. Additionally, the fleet vehicles are also used to conduct vital operations such as maintenance and law enforcement activities. State agencies are required to purchase vehicle fleets that are capable of using alternative fuel. Initially, these vehicles are often more expensive, but result in lower fuel costs over the life of the vehicle, making them fiscally responsible purchases.

Currently, 10 percent of all new vehicles purchased by state agencies are required to be rated by the Environmental Protection Agency as a Tier II, Bin 3 vehicle with a Gas Greenhouse Score of at least eight. This bill would increase that percentage to 20 percent of new vehicles purchased by state agencies. All of the vehicles that are eligible in the category get at least 30 miles per gallon fuel mileage.

H.B. 432 amends current law relating to the acquisition by state agencies of low-emissions vehicles and vehicles using alternative fuels.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2158.003(a), Government Code, to authorize a vehicle being purchased by a state agency to have a wheelbase of up to 116 inches or SAE net horsepower of up to 280 if the vehicle will be converted so that it uses, rather than is capable of using, certain types or blends of gas or electricity.

SECTION 2. Amends Section 2158.004(a), Government Code, to make a conforming change.

SECTION 3. Amends Section 2158.005, Government Code, as follows:

Sec. 2158.005. New heading: PERCENTAGE REQUIREMENTS FOR VEHICLES USING ALTERNATIVE FUELS. (a) Requires a state agency that operates a fleet of more than 15 motor vehicles, excluding law enforcement and emergency vehicles, not later than September 30, 2010, rather than September 1, 1996, to have a fleet consisting of vehicles of which at least 50 percent use certain types or blends of gas or electricity. Makes a conforming change.

(b) Redesignates Subsection (d) as Subsection (b). Deletes existing text of Subsection (b) relating to requiring the Texas Natural Resource Conservation Commission (TNRCC) to review the program established by this subchapter. Deletes existing text of Subsection (c) relating to requiring the Texas Facilities Commission (TFC) to assist TNRCC in collecting reasonable information needed to determine the air quality benefits from use of certain types or blends of gas or electricity at affected agencies. Requires a state agency in its annual financial report to the legislature to report its progress in achieving the percentage requirements of this section by itemizing purchases, leases, and conversions of

motor vehicles; itemizing usage of certain types or blends of gas or electricity; and describing the availability of certain types or blends of gas or electricity.

(c) Redesignates Subsection (e) as Subsection (c). Requires the Texas State Technical College System to develop a program and provide training to a state agency converting an existing vehicle to meet the requirements of this section.

(d) Redesignates Subsection (f) as Subsection (d). Authorizes the comptroller of public accounts (comptroller), rather than TFC, to reduce a percentage specified by this section or waive the requirements of this section for a state agency on receipt of certification supported by certain evidence acceptable to the comptroller. Makes a conforming change.

SECTION 4. Amends Section 2158.008, Government Code, as follows:

Sec. 2158.008. New heading: WHEN VEHICLE CONSIDERED TO BE USING ALTERNATIVE FUELS. Provides that in this subchapter, a vehicle is considered to be using certain types or blends of gas or electricity if the vehicle uses those fuels not less than 80 percent of the time the vehicle is driven and either in its original equipment engine or in an engine that has been converted to use those fuels. Makes conforming changes.

SECTION 5. Amends Section 2158.009(b), Government Code, to require a state agency authorized to purchase passenger vehicles or other ground transportation vehicles for general use to ensure that not less than 20 percent, rather than 10 percent, of its vehicle purchases during any state fiscal biennium are purchases of vehicles that meet or exceed the emissions standards necessary to be rated by the United States Environmental Protection Agency as a Tier II, Bin 3, emissions standard vehicle that has a greenhouse gas score of weight under regulations of that agency as they existed September 1, 2007.

SECTION 6. Repealer: Section 2158.009(a) (relating to a state agency that purchases 10 or more vehicles in a state fiscal biennium), Government Code.

SECTION 7. Effective date: September 1, 2009.