

By: Strama

H.B. No. 776

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the implementation by the Texas Commission on
3 Environmental Quality of a low-emission vehicle program.

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

5 SECTION 1. This Act may be cited as the Low-Emission Vehicle
6 Act.

7 SECTION 2. The legislature finds that:

8 (1) air pollution from motor vehicles is dangerous to
9 the health of the residents of this state;

10 (2) motor vehicles are a major source of pollution in
11 this state and contribute to the emission of greenhouse gases that
12 cause worldwide climate change; and

13 (3) technology can significantly reduce dangerous
14 emissions from motor vehicles.

15 SECTION 3. This Act is intended to protect the health and
16 safety of the residents of this state.

17 SECTION 4. Subchapter B, Chapter 382, Health and Safety
18 Code, is amended by adding Section 382.0192 to read as follows:

19 Sec. 382.0192. LOW-EMISSION VEHICLE PROGRAM. (a) In this
20 section, "California Low-Emission Vehicle program" means the
21 low-emission vehicle program being implemented in California
22 pursuant to the provisions of the federal Clean Air Act (42 U.S.C.
23 Section 7401 et seq.) and the California Code of Regulations.

24 (b) The commission shall implement a low-emission vehicle

1 program that is consistent with the California Low-Emission Vehicle
2 program. The program applies only to motor vehicles with a model
3 year of 2012 or later.

4 (c) The commission shall adopt rules as necessary to
5 implement this section in a manner that maintains consistency with
6 the California Low-Emission Vehicle program.

7 (d) Notwithstanding Subsections (b) and (c), if after the
8 effective date of the law enacting this section California adopts
9 standards relating to the control of emissions from new motor
10 vehicles or new motor vehicle engines that are inconsistent with
11 the California Low-Emission Vehicle program as that program existed
12 on the effective date of the law enacting this section or if after
13 that date the federal standards relating to the control of
14 emissions from new motor vehicles or new motor vehicle engines are
15 amended, the commission may adopt the federal standards if the
16 commission determines that the federal standards provide a more
17 cost-effective method of achieving any reductions in emissions of
18 air contaminants required by state or federal law.

19 SECTION 5. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2009.