

By: Watson

S.B. No. 2016

A BILL TO BE ENTITLED

AN ACT

relating to the purchase and operation of plug-in hybrid electric motor vehicles, including the establishment of a pilot program by the state energy conservation office.

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

SECTION 1. Section 411.063, Government Code, is amended by adding Subsection (f) to read as follows:

(f) A motor vehicle displaying a "hybrid vehicle" insignia issued under Section 502.1865, Transportation Code, is exempt from the payment of a parking fee under Subsection (b)(5).

SECTION 2. Chapter 447, Government Code, is amended by adding Section 447.015 to read as follows:

Sec. 447.015. PLUG-IN HYBRID ELECTRIC MOTOR VEHICLE PILOT PROGRAM. (a) In this section, "plug-in hybrid electric motor vehicle" means a vehicle that:

(1) draws motive power from a battery that:

(A) has a capacity of at least four kilowatt-hours; and

(B) can be recharged from an external source of electricity; and

(2) is approved by the state energy conservation office.

(b) The state energy conservation office shall develop a pilot project, in consultation with local electric utilities or

1 private contractors, for the establishment and operation of
2 charging stations for plug-in hybrid electric motor vehicles in
3 state-owned parking lots and garages, including lots and garages in
4 the Capitol Complex, as defined by Section 411.061.

5 (c) The pilot project must also include:

6 (1) demonstrations on the use of charging stations for
7 plug-in hybrid electric motor vehicles in the Capitol Complex;

8 (2) the solicitation of demonstrations of plug-in
9 hybrid electric motor vehicles, including pickup trucks, delivery
10 vehicles, and buses, for use in the state vehicle fleet; and

11 (3) facilitation of the use of ride-sharing or
12 car-pooling programs that use plug-in hybrid electric motor
13 vehicles and are sponsored or promoted by local governments.

14 (d) The state energy conservation office shall publish a
15 list on the office's Internet website of vehicles that are approved
16 by the office as plug-in hybrid electric motor vehicles based on
17 manufacturer information.

18 (e) The state energy conservation office may solicit and
19 accept grants, gifts, and donations from any public or private
20 source for the purposes of this section.

21 SECTION 3. Section 2165.2035, Government Code, is amended
22 by adding Subsection (k) to read as follows:

23 (k) Any lease of a state-owned parking lot or garage under
24 this section must provide that a motor vehicle displaying a "hybrid
25 vehicle" insignia issued under Section 502.1865, Transportation
26 Code, is exempt from the payment of a fee to park in the parking lot
27 or garage.

SECTION 4. Subchapter E, Chapter 152, Tax Code, is amended by adding Section 152.0902 to read as follows:

Sec. 152.0902. CERTAIN PLUG-IN HYBRID ELECTRIC MOTOR VEHICLES. (a) In this section, "plug-in hybrid electric motor vehicle" has the meaning assigned by Section 447.015, Government Code.

(b) The taxes imposed by this chapter do not apply to the sale or use of a plug-in hybrid electric motor vehicle.

SECTION 5. Section 224.153, Transportation Code, is amended by adding Subsection (e) to read as follows:

(e) A motor vehicle displaying the "hybrid vehicle" insignia issued under Section 502.1865 in an easily readable location on the back of the 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 funds.

SECTION 6. Chapter 371, Transportation Code, as added by Chapters 103 (H.B. 570) and 258 (S.B. 11), Acts of the 80th Legislature, Regular Session, 2007, is reenacted, redesignated as Chapter 372, Transportation Code, and amended to read as follows:

CHAPTER 372 [~~371~~]. PROVISIONS APPLICABLE TO MORE THAN ONE TYPE OF
TOLL PROJECT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 372.001 [~~371.001~~]. DEFINITIONS. In this chapter:

(1) "Plug-in hybrid electric motor vehicle" has the meaning assigned by Section 447.015, Government Code.

(2) "Toll project" means a toll project described by Section 201.001(b), regardless of whether the toll project:

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

(B) is subject to the jurisdiction of the department.

(3) ~~[(2)]~~ "Toll project entity" means an entity authorized by law to acquire, design, construct, finance, operate, and maintain a toll project, including:

(A) the department under Chapter 227 or 228;

(B) a regional tollway authority under Chapter 366;

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

(D) a county under Chapter 284.

SUBCHAPTER B. TOLL PROJECT OPERATION

Sec. 372.051 ~~[371.051]~~. USE OF MOTOR VEHICLE REGISTRATION OR LICENSE PLATE INFORMATION. (a) A toll project entity may not use motor vehicle registration or other information derived from a license plate on a vehicle using a toll project, including information obtained by the use of automated enforcement technology described by Section 228.058, for purposes other than those related to:

(1) toll collection and toll collection enforcement; and

(2) law enforcement purposes on request by a law enforcement agency~~[, subject to Section 228.058(d)]~~.

(b) If a toll project entity enters into an agreement with an entity in another state that involves the exchange of motor vehicle registration or license plate information for toll

collection or toll collection enforcement purposes, the agreement must provide that the information may not be used for purposes other than those described in Subsection (a).

Sec. 372.052 [~~371.001~~]. VEHICLES USED BY NONPROFIT DISASTER RELIEF ORGANIZATIONS. [~~(a) In this section:~~

[~~(1) "Toll project" means a toll project described by Section 201.001(b), regardless of whether the toll project is:~~

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

[~~(B) subject to the jurisdiction of the department.~~

[~~(2) "Toll project entity" means an entity authorized by law to acquire, design, construct, finance, operate, and maintain a toll project, including:~~

[~~(A) the department under Chapter 227 or 228;~~

[~~(B) a regional tollway authority under Chapter 366;~~

[~~(C) a regional mobility authority under Chapter 370; or~~

[~~(D) a county under Chapter 284.~~

[~~(b)~~] A toll project entity may not require a vehicle registered under Section 502.203 to pay a toll for the use of a toll project.

Sec. 372.053. PLUG-IN HYBRID ELECTRIC MOTOR VEHICLES. A toll project entity may not require a plug-in hybrid electric motor vehicle displaying a "hybrid vehicle" insignia issued under Section 502.1865 to pay a toll for the use of a toll project.

SECTION 7. Subchapter D, Chapter 502, Transportation Code,

is amended by adding Section 502.1865 to read as follows:

Sec. 502.1865. "HYBRID VEHICLE" INSIGNIA FOR CERTAIN MOTOR VEHICLES. (a) In this section, "plug-in hybrid electric motor vehicle" has the meaning assigned by Section 447.015, Government Code.

(b) At the time of registration or reregistration of the motor vehicle, the department shall issue a specially designed "hybrid vehicle" insignia for a plug-in hybrid electric motor vehicle.

(c) The department shall issue a "hybrid vehicle" insignia under this section without the payment of any additional fee to a person who:

(1) applies to the department on a form provided by the department; and

(2) submits proof that the motor vehicle being registered is a plug-in hybrid electric motor vehicle.

SECTION 8. (a) The changes in law made by Section 2165.2035(k), Government Code, as added by this Act, apply to a lease entered into on or after the effective date of this Act. A lease entered into before the effective date of this Act is governed by the law in effect on the date the lease was entered into, and that law is continued in effect for that purpose.

(b) The changes in law made by Section 152.0902, Tax Code, as added by this Act, do not affect tax liability accruing before the effective date of this Act. That liability continues in effect as if this Act had not been enacted, and the former law is continued in effect for the collection of taxes due and for civil and criminal

1 enforcement of the liability for those taxes.

2 SECTION 9. To the extent of any conflict, this Act prevails
3 over another Act of the 81st Legislature, Regular Session, 2009,
4 relating to nonsubstantive additions to and corrections in enacted
5 codes.

6 SECTION 10. This Act takes effect September 1, 2009.