

BILL ANALYSIS

H.B. 3272
By: Burnam
Environmental Regulation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The low-income vehicle repair assistance, retrofit, and accelerated vehicle retirement program has consistently and effectively reduced air pollution in our state's hottest ozone areas. Stationary sources of air pollution are subject to scrutiny and permitting processes from TCEQ, but on-road mobile sources contribute nearly half the emissions that lead to the creation of ground-level ozone. The program is available in areas not in attainment according to the federal Clean Air Act, as well as in areas that agree to participate in an early action program. Local governments provide assistance to low-income vehicle owners to repair or replace high-emitting cars and trucks. H.B. 3272 encourages the purchase of cleaner vehicles by expanding the list of vehicles available for replacement and removing a hurdle that disqualifies an eligible vehicle with a small gap in registration history.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTIONS 3 and 4 of this bill.

ANALYSIS

H.B. 3272 amends the Health and Safety Code, in a provision under the Texas Clean Air Act setting out eligibility requirements for a low-income vehicle repair assistance, retrofit, and accelerated vehicle retirement program established by a participating county, to require the registration of the vehicle to reflect that the vehicle has been registered in the county implementing the program for at least 12 of the 15 months preceding the application for participating in the program, rather than for the 12 months preceding the application. The bill includes in the required minimum guidelines for implementing the program a criteria that prohibits the maximum amount toward the purchase price of a replacement vehicle qualified for the accelerated retirement program, based on vehicle type and model year, from exceeding \$3,500 for a replacement vehicle of the current model year or the previous three model years that is a hybrid vehicle, electric vehicle, or natural gas vehicle or that has been certified to meet certain federal standards. The bill requires the guidelines to provide that a replacement vehicle qualified for the program, in addition to meeting a gross weight specification, must have an odometer reading of not more than 60,000 miles and be a vehicle the total cost of which does not exceed \$35,000, rather than \$25,000.

H.B. 3272 requires the Texas Commission on Environment Quality (TCEQ) to establish a partnership with representatives of the steel industry, automobile dismantlers, and the scrap metal recycling industry to ensure that vehicles retired under the low-income vehicle repair assistance, retrofit, and accelerated vehicle retirement program are scrapped or recycled and that proof of scrapping or recycling is provided to TCEQ. The bill requires TCEQ to adopt rules providing a procedure for certifying that emissions control equipment and vehicle engines have been scrapped or recycled.

H.B. 3272 defines "electric vehicle" and "natural gas vehicle." The bill redesignates the

definition of "hybrid motor vehicle" as "hybrid vehicle."

EFFECTIVE DATE

September 1, 2011.