

By: Hilderbran

H.B. No. 3110

A BILL TO BE ENTITLED

AN ACT

relating to the Texas Emissions Reduction Plan motor vehicle purchase or lease incentive program.

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

SECTION 1. Section 386.152(b), Health and Safety Code, is amended to read as follows:

(b) The program shall authorize statewide incentives for the purchase or lease~~[, according to the schedule provided by Section 386.153,~~] of new light-duty motor vehicles powered by compressed natural gas, liquefied petroleum gas, or electric drives ~~[that are certified by the United States Environmental Protection Agency to meet an emissions standard that is at least as stringent as those provided by Section 386.153]~~ for a purchaser or lessee who agrees to register the vehicle in this state and to operate the vehicle in this state for not less than 75 percent of the vehicle's annual mileage.

SECTION 2. Section 386.153, Health and Safety Code, is amended to read as follows:

Sec. 386.153. LIGHT-DUTY MOTOR VEHICLE PURCHASE OR LEASE INCENTIVE REQUIREMENTS ~~[SCHEDULE]~~. (a) A new light-duty motor vehicle powered by compressed natural gas or liquefied petroleum gas is eligible for a \$2,500 incentive if the vehicle:

(1) has four wheels;

(2) was originally manufactured to comply with and has

1 been certified by an original equipment manufacturer or
2 intermediate or final state vehicle manufacturer as complying with,
3 or has been altered to comply with, federal motor vehicle safety
4 standards, state emissions regulations, and any additional state
5 regulations applicable to vehicles powered by compressed natural
6 gas or liquefied petroleum gas;

7 (3) was manufactured for use primarily on public
8 streets, roads, and highways;

9 (4) is rated at not more than 9,600 pounds unloaded
10 gross vehicle weight;

11 (5) has a dedicated or bi-fuel compressed natural gas
12 or liquefied petroleum gas fuel system with a range of at least 125
13 miles as estimated, published, and updated by the United States
14 Environmental Protection Agency;

15 (6) has, as applicable, a:

16 (A) compressed natural gas fuel system that
17 complies with the:

18 (i) 2013 NFPA 52 Gaseous Fuel Vehicular
19 Systems Code; and

20 (ii) American National Standard for Basic
21 Requirements for Compressed Natural Gas Vehicle (NGV) Fuel
22 Containers, commonly cited as "ANSI/CSA NGV2"; or

23 (B) liquefied petroleum gas fuel system that
24 complies with:

25 (i) the 2011 NFPA 58 Liquefied Petroleum
26 Gas Code; and

27 (ii) Section VII of the 2013 ASME Boiler and

1 Pressure Vessel Code; and

2 (7) was acquired on or after January 1, 2013, by the
3 person applying for the incentive under this subsection and for use
4 or lease by that person and not for resale.

5 (b) If the commission determines that an updated version of
6 a code or standard described by Subdivision (a)(6) is more
7 stringent than the version of the code or standard described by
8 Subdivision (a)(6), the commission by rule may provide that a
9 vehicle for which a person applies for an incentive under
10 Subsection (a) is eligible for the incentive only if the vehicle
11 complies with the updated version of the code or standard.

12 (b-1) The incentive under Subsection (a) is limited to 2,000
13 vehicles for the state fiscal biennium beginning September 1, 2013.
14 This subsection expires September 1, 2015.

15 (c) A new light-duty motor vehicle powered by electric drive
16 is eligible for a \$2,500 incentive if the vehicle:

17 (1) has four wheels;

18 (2) was manufactured for use primarily on public
19 streets, roads, and highways;

20 (3) has not been modified from the original
21 manufacturer's specifications;

22 (4) is rated at not more than 8,500 pounds unloaded
23 gross vehicle weight;

24 (5) has a maximum speed capability of at least 55 miles
25 per hour;

26 (6) is propelled to a significant extent by an
27 electric motor that draws electricity from a battery that:

1 (A) has a capacity of not less than four kilowatt
2 hours; and

3 (B) is capable of being recharged from an
4 external source of electricity; and

5 (7) was acquired on or after January 1, 2013, by the
6 person applying for the incentive under this subsection and for use
7 or lease by that person and not for resale.

8 (d) The incentive under Subsection (c) is limited to 2,000
9 vehicles for the state fiscal biennium beginning September 1, 2013.
10 This subsection expires September 1, 2015. [A new light-duty motor
11 vehicle is eligible for an incentive according to the following
12 schedule:

13 ~~[Incentive emissions standard and incentive amount~~

14 ~~[Model year 2003-2007~~

15 ~~[Bin 4 \$1,250~~

16 ~~[Bin 3 \$2,225~~

17 ~~[Bin 2 \$3,750~~

18 ~~[Bin 1 \$5,000]~~

19 SECTION 3. Section 386.156(a), Health and Safety Code, is
20 amended to read as follows:

21 (a) On August 1 each year the commission shall publish and
22 provide to the comptroller a list of ~~[the]~~ new model motor vehicles
23 eligible for inclusion in an incentive under this subchapter ~~[as~~
24 ~~listed for the commission under Section 386.155]~~. The commission
25 shall publish and provide to the comptroller supplements to that
26 list as necessary to include additional new vehicle models ~~[listed~~
27 ~~in a supplement to the original list provided by a manufacturer~~

1 ~~under Section 386.155]~~.

2 SECTION 4. Section 386.158(a), Health and Safety Code, is
3 amended to read as follows:

4 (a) A person who purchases or leases a new light-duty motor
5 vehicle described by Section 386.153 and ~~[that has been]~~ listed
6 under Section 386.156(a) ~~[386.155]~~ is eligible to apply for an
7 incentive under this subchapter.

8 SECTION 5. Sections 386.151(1), 386.154, and 386.155,
9 Health and Safety Code, are repealed.

10 SECTION 6. This Act takes effect September 1, 2013.