

By: Thompson of Brazoria

H.B. No. 1346

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility requirements for the diesel emissions reduction incentive program.

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

SECTION 1. Section 386.104, Health and Safety Code, is amended by amending Subsection (c) and adding Subsections (c-1) and (c-2) to read as follows:

(c) Except as otherwise provided by this subsection, for
[~~For~~] a proposed project as described by Section 386.102(b), other than a project involving a marine vessel or engine, not less than 75 percent of vehicle miles traveled or hours of operation projected for the five years immediately following the award of a grant must be projected to take place in a nonattainment area or affected county of this state. The commission may set the minimum percentage of vehicle miles traveled or hours of operation required to take place in a nonattainment area or affected county at a percentage and for a period that is different from the percentage and period specified by this subsection. The commission may [~~also~~] allow vehicle travel on highways and roadways, or portions of a highway or roadway, designated by the commission and located outside a nonattainment area or affected county to count towards the percentage of use requirement in this subsection.

(c-1) For a proposed project involving a marine vessel or engine, the vessel or engine must be operated in the intercoastal

1 waterways or bays adjacent to a nonattainment area or affected
2 county of this state for a sufficient amount of time over the
3 lifetime of the project, as determined by the commission, to meet
4 the cost-effectiveness requirements of Section 386.105.

5 (c-2) For a proposed project involving non-road equipment
6 used for natural gas recovery purposes, the equipment must be
7 operated in a nonattainment area or affected county for a
8 sufficient amount of use over the lifetime of the project, as
9 determined by the commission, to meet the cost-effectiveness
10 requirements of Section 386.105.

11 SECTION 2. This Act takes effect September 1, 2019.