

By: Kacal

H.B. No. 3249

A BILL TO BE ENTITLED

AN ACT

relating to the use of Texas emissions reduction plan funds for a study conducted by the Texas A&M Transportation Institute.

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

SECTION 1. Section 386.051(b), Health and Safety Code, is amended to read as follows:

(b) Under the plan, the commission and the comptroller shall provide grants or other funding for:

(1) the diesel emissions reduction incentive program established under Subchapter C, including for infrastructure projects established under that subchapter;

(2) the motor vehicle purchase or lease incentive program established under Subchapter D;

(3) the air quality research support program established under Chapter 387;

(4) the clean school bus program established under Chapter 390;

(5) the new technology implementation grant program established under Chapter 391;

(6) the regional air monitoring program established under Section 386.252(a);

(7) a health effects study as provided by Section 386.252(a);

(8) air quality planning activities as provided by

1 Section 386.252(d);

2 (9) a contract with the Energy Systems Laboratory at
3 the Texas A&M Engineering Experiment Station for computation of
4 creditable statewide emissions reductions as provided by Section
5 386.252(a);

6 (10) the Texas clean fleet program established under
7 Chapter 392;

8 (11) the Texas alternative fueling facilities program
9 established under Chapter 393;

10 (12) the Texas natural gas vehicle grant program
11 established under Chapter 394;

12 (13) other programs the commission may develop that
13 lead to reduced emissions of nitrogen oxides, particulate matter,
14 or volatile organic compounds in a nonattainment area or affected
15 county;

16 (14) other programs the commission may develop that
17 support congestion mitigation to reduce mobile source ozone
18 precursor emissions;

19 (15) the seaport and rail yard areas emissions
20 reduction program established under Subchapter D-1;

21 (16) conducting research and other activities
22 associated with making any necessary demonstrations to the United
23 States Environmental Protection Agency to account for the impact of
24 foreign emissions or an exceptional event;

25 (17) studies of or pilot programs for incentives for
26 port authorities located in nonattainment areas or affected
27 counties as provided by Section 386.252(a); ~~and~~

1 (18) the governmental alternative fuel fleet grant
2 program established under Chapter 395; and

3 (19) a contract with the Texas A&M Transportation
4 Institute to conduct a study as provided by Section 386.252(a).

5 SECTION 2. Section 386.252(a), Health and Safety Code, is
6 amended to read as follows:

7 (a) Money in the fund may be used only to implement and
8 administer programs established under the plan. Subject to the
9 reallocation of funds by the commission under Subsection (h), money
10 appropriated to the commission to be used for the programs under
11 Section 386.051(b) shall initially be allocated as follows:

12 (1) four percent may be used for the clean school bus
13 program under Chapter 390;

14 (2) three percent may be used for the new technology
15 implementation grant program under Chapter 391, from which at least
16 \$1 million will be set aside for electricity storage projects
17 related to renewable energy;

18 (3) five percent may be used for the Texas clean fleet
19 program under Chapter 392;

20 (4) not more than \$3 million may be used by the
21 commission to fund a regional air monitoring program in commission
22 Regions 3 and 4 to be implemented under the commission's oversight,
23 including direction regarding the type, number, location, and
24 operation of, and data validation practices for, monitors funded by
25 the program through a regional nonprofit entity located in North
26 Texas having representation from counties, municipalities, higher
27 education institutions, and private sector interests across the

1 area;

2 (5) 10 percent may be used for the Texas natural gas
3 vehicle grant program under Chapter 394;

4 (6) not more than \$6 million may be used for the Texas
5 alternative fueling facilities program under Chapter 393, of which
6 a specified amount may be used for fueling stations to provide
7 natural gas fuel, except that money may not be allocated for the
8 Texas alternative fueling facilities program for the state fiscal
9 year ending August 31, 2019;

10 (7) not more than \$750,000 may be used each year to
11 support research related to air quality as provided by Chapter 387;

12 (8) not more than \$200,000 may be used for a health
13 effects study;

14 (9) at least \$6 million but not more than \$8 million is
15 allocated to the commission for administrative costs, including all
16 direct and indirect costs for administering the plan, costs for
17 conducting outreach and education activities, and costs
18 attributable to the review or approval of applications for
19 marketable emissions reduction credits;

20 (10) six percent may be used by the commission for the
21 seaport and rail yard areas emissions reduction program established
22 under Subchapter D-1;

23 (11) five percent may be used for the light-duty motor
24 vehicle purchase or lease incentive program established under
25 Subchapter D;

26 (12) not more than \$216,000 is allocated to the
27 commission to contract with the Energy Systems Laboratory at the

1 Texas A&M Engineering Experiment Station annually for the
2 development and annual computation of creditable statewide
3 emissions reductions obtained through wind and other renewable
4 energy resources for the state implementation plan;

5 (13) not more than \$500,000 may be used for studies of
6 or pilot programs for incentives for port authorities located in
7 nonattainment areas or affected counties to encourage cargo
8 movement that reduces emissions of nitrogen oxides and particulate
9 matter; ~~and~~

10 (14) not more than \$250,000 shall be allocated to the
11 commission to contract with the Texas A&M Transportation Institute
12 to conduct a study to evaluate the relationship between traffic
13 congestion and ozone precursors and to identify effective
14 strategies in reducing nitrogen oxide emissions from
15 transportation sources; and

16 (15) the balance is to be used by the commission for
17 the diesel emissions reduction incentive program under Subchapter C
18 as determined by the commission.

19 SECTION 3. This Act takes effect September 1, 2019.