

By: Kacal

H.B. No. 3249

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

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

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

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

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

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

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

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

22 (7) a health effects study as provided by Section  
23 386.252(a);

24 (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.