

## **BILL ANALYSIS**

H.B. 286  
By: Cortez  
Environmental Regulation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Concerns have been raised regarding the stipulations of grants under the alternative fueling facilities program, through which the Texas Commission on Environmental Quality (TCEQ) provides grants for fueling facilities that provide alternative fuel. Under the program, TCEQ is prohibited from awarding a grant to an entity that does not agree to make the alternative fueling facility accessible and available to the public at certain times. This creates a multitude of concerns for hopeful grant recipients that are regional transportation authorities and metropolitan rapid transit authorities, such as VIA Metropolitan Transit, a transit authority that has committed to converting its diesel-powered transit buses to compressed natural gas buses in efforts to improve the air quality of the San Antonio region. H.B. 286 seeks to address this issue by exempting certain transportation authorities from grant eligibility requirements mandating public access to applicable alternative fueling facilities owned by these authorities.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 286 amends the Health and Safety Code to exempt certain facilities from the prohibition against the Texas Commission on Environmental Quality awarding a grant under the Texas alternative fueling facilities program in each grant round to an entity that does not agree to make the alternative fueling facility accessible and available to the public at times designated by the grant contract until a grant has been awarded to each eligible entity that does agree to those terms. The exemption applies to a facility that is:

- owned or operated by a metropolitan rapid transit authority or a regional transportation authority;
- located in a county that has a population of more than one million; and
- located in a nonattainment area or an affected county under the Texas emissions reduction plan.

### **EFFECTIVE DATE**

September 1, 2021.