87R17069 SLB-F

By:  Thompson of Brazoria H.B. No. 2136

Substitute the following for H.B. No. 2136:

By:  Dominguez C.S.H.B. No. 2136

A BILL TO BE ENTITLED

AN ACT

relating to marine vessel projects in the diesel emissions reduction incentive program.

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

SECTION 1.  Sections 386.104(c) and (c-1), Health and Safety Code, are amended to read as follows:

(c)  Except as otherwise provided by this subsection, 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, provided that the commission may not set the minimum percentage at a level that is less than 55 percent. The commission may 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 waterways or bays adjacent to a nonattainment area or affected county of this state for a sufficient percentage [~~amount~~] of time over the lifetime of the project, as determined by the commission, to meet the cost-effectiveness requirements of Section 386.105. The percentage determined by the commission under this subsection may not be less than 55 percent.

SECTION 2.  This Act takes effect September 1, 2021.