87R5594 JRR-D

By:  Zaffirini S.B. No. 645

A BILL TO BE ENTITLED

AN ACT

relating to the Texas natural gas vehicle grant program.

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

SECTION 1.  Section 394.003, Health and Safety Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a)  A vehicle is a qualifying vehicle that may be considered for a grant under the program if during the eligibility period established by the commission the entity:

(1)  purchased, leased, or otherwise commercially financed the vehicle as an [~~a new~~] on-road heavy-duty or medium-duty motor vehicle that:

(A)  is a new natural gas vehicle or, subject to Subsection (c), a used natural gas vehicle;

(B)  is certified to the appropriate current federal emissions standards as determined by the commission; and

(C)  replaces an on-road heavy-duty or medium-duty motor vehicle of the same weight classification and use; or

(2)  repowered the on-road motor vehicle to a natural gas vehicle powered by a natural gas engine that is certified to the appropriate current federal emissions standards as determined by the commission.

(c)  A used natural gas vehicle that is proposed to replace an on-road heavy-duty or medium-duty motor vehicle must be of model year 2017 or later, provided that the model year may not be more than six years older than the current model year at the time of the submission of the grant application.

SECTION 2.  Section 394.005(b), Health and Safety Code, is amended to read as follows:

(b)  To be eligible for a grant under the program:

(1)  the use of the qualifying vehicle must be projected to result in a reduction in emissions of nitrogen oxides of at least 25 percent as compared to the motor vehicle or engine being replaced, based on:

(A)  the baseline emission level set by the commission under Subsection (g); and

(B)  the certified emission rate of the qualifying [~~new~~] vehicle; and

(2)  the qualifying vehicle must:

(A)  replace a heavy-duty or medium-duty motor vehicle that:

(i)  is an on-road vehicle that has been owned, leased, or otherwise commercially financed and registered and operated by the applicant in Texas for at least the two years immediately preceding the submission of a grant application;

(ii)  satisfies any minimum average annual mileage or fuel usage requirements established by the commission;

(iii)  satisfies any minimum percentage of annual usage requirements established by the commission; and

(iv)  is in operating condition and has at least two years of remaining useful life, as determined in accordance with criteria established by the commission;

(B)  replace a heavy-duty or medium-duty motor vehicle that:

(i)  is owned by the applicant;

(ii)  is an on-road vehicle that has been:

(a)  owned, leased, or otherwise commercially financed and operated in Texas as a fleet vehicle for at least the two years immediately preceding the submission of a grant application; and

(b)  registered in a county located in the clean transportation zone for at least the two years immediately preceding the submission of a grant application; and

(iii)  otherwise satisfies the mileage, usage, and useful life requirements established under Paragraph (A) as determined by documentation associated with the vehicle; or

(C)  be a heavy-duty or medium-duty motor vehicle repowered with a natural gas engine that:

(i)  is installed in an on-road vehicle that has been owned, leased, or otherwise commercially financed and registered and operated by the applicant in Texas for at least the two years immediately preceding the submission of a grant application;

(ii)  satisfies any minimum average annual mileage or fuel usage requirements established by the commission;

(iii)  satisfies any minimum percentage of annual usage requirements established by the commission; and

(iv)  is installed in an on-road vehicle that, at the time of the vehicle's repowering, was in operating condition and had at least two years of remaining useful life, as determined in accordance with criteria established by the commission.

SECTION 3.  Section 394.007, Health and Safety Code, is amended by adding Subsection (a-1) to read as follows:

(a-1)  A grant awarded under this chapter for a qualifying vehicle that is a used natural gas vehicle may not be less than 80 percent of the incremental cost of the vehicle purchase, lease, or other commercial finance.

SECTION 4.  This Act takes effect September 1, 2021.