

By: Thompson of Brazoria

H.B. No. 2136

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to marine vessel projects in the diesel emissions  
3 reduction incentive program.

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

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

7 (c) Except as otherwise provided by this subsection, for a  
8 proposed project as described by Section 386.102(b), ~~[other than a~~  
9 ~~project involving a marine vessel or engine,~~] not less than 75  
10 percent of vehicle miles traveled or hours of operation projected  
11 for the five years immediately following the award of a grant must  
12 be projected to take place in a nonattainment area or affected  
13 county of this state. The commission may set the minimum percentage  
14 of vehicle miles traveled or hours of operation required to take  
15 place in a nonattainment area or affected county at a percentage and  
16 for a period that is different from the percentage and period  
17 specified by this subsection, provided that the commission may not  
18 set the minimum percentage at a level that is less than 55 percent.  
19 The commission may allow vehicle travel on highways and roadways,  
20 or portions of a highway or roadway, designated by the commission  
21 and located outside a nonattainment area or affected county to  
22 count towards the percentage of use requirement in this subsection.

23 (c-1) For a proposed project involving a marine vessel or  
24 engine, the vessel or engine must be operated in the intercoastal

1 waterways or bays adjacent to a nonattainment area or affected  
2 county of this state for a sufficient percentage [~~amount~~] of time  
3 over the lifetime of the project, as determined by the commission,  
4 to meet the cost-effectiveness requirements of Section 386.105.  
5 The percentage determined by the commission under this subsection  
6 may not be less than 55 percent.

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