

By: Thompson of Brazoria

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, not less than 25 percent of the hours of operation projected

1 for the five years immediately following the award of a grant must  
2 be projected to take place in:

3 (1) [the vessel or engine must be operated in the]  
4 intercoastal waterways or bays; or

5 (2) the waters of the Gulf of Mexico within 15 miles of  
6 the coast of this state [adjacent to a nonattainment area or  
7 affected county of this state for a sufficient amount of time over  
8 the lifetime of the project, as determined by the commission, to  
9 meet the cost-effectiveness requirements of Section [386.105](#)].

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