

By: Eckhardt

S.B. No. 1311

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Texas Transportation Electrification Council and the duties of that council.

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

SECTION 1. Subtitle F, Title 4, Government Code, is amended by adding Chapter 490J to read as follows:

CHAPTER 490J. TEXAS TRANSPORTATION ELECTRIFICATION COUNCIL

Sec. 490J.001. DEFINITION. In this chapter, "council" means the Texas Transportation Electrification Council established by this chapter.

Sec. 490J.002. ESTABLISHMENT; COMPOSITION. (a) The Texas Transportation Electrification Council is established.

(b) The council is composed of the chair of, or if not applicable, the administrative head of or a senior-level designee from, each of the following entities:

(1) the Public Utility Commission of Texas;

(2) the Electric Reliability Council of Texas;

(3) the Texas Commission on Environmental Quality;

(4) the State Energy Conservation Office;

(5) the Texas Department of Licensing and Regulation;

(6) the Texas Department of Transportation;

(7) the Texas Department of Motor Vehicles;

(8) the Texas Department of Housing and Community Affairs;

1 (9) the Texas State Affordable Housing Corporation;
2 (10) the Texas Division of Emergency Management; and
3 (11) the Texas Economic Development and Tourism
4 Office.

5 Sec. 490J.003. PRESIDING OFFICER; MEETINGS. (a) The
6 council annually shall elect one member to serve as the presiding
7 officer of the council.

8 (a-1) The executive director of the Texas Department of
9 Transportation shall serve as the initial presiding officer of the
10 council. This subsection expires September 1, 2025.

11 (b) The council shall hold at least four public meetings
12 each year.

13 Sec. 490J.004. ADMINISTRATIVE ATTACHMENT; FUNDING. (a)
14 The council is administratively attached to the Texas Department of
15 Transportation.

16 (b) The council shall be funded using existing funds of the
17 Texas Department of Transportation.

18 Sec. 490J.0045. ELECTRIC VEHICLE CHARGING INFRASTRUCTURE
19 ASSESSMENT. (a) Not later than March 1, 2024, the council shall
20 prepare an assessment of existing and planned public electric
21 vehicle charging infrastructure and associated technologies in
22 this state using existing databases. The assessment must include
23 the number and types of electric vehicle chargers at each location.

24 (b) The council shall use the assessment in developing the
25 plan required by Section 490J.005.

26 (c) This section expires September 1, 2027.

27 Sec. 490J.005. ELECTRIC VEHICLE CHARGING INFRASTRUCTURE

1 PLAN. (a) The council shall:

2 (1) develop a comprehensive plan for the development
3 of public electric vehicle charging infrastructure and associated
4 technologies in this state through the year 2040; and

5 (2) update the plan biennially.

6 (b) The plan must:

7 (1) include a phased implementation of the plan, in
8 biennial increments, through the year 2040;

9 (2) identify areas in this state for which additional
10 public electric vehicle charging infrastructure is needed to ensure
11 that the vehicle choice of residents of this state is not
12 constrained by a lack of access to adequate public electric vehicle
13 charging infrastructure;

14 (3) provide for sufficient public electric vehicle
15 charging infrastructure to meet and enable future demand for
16 electric vehicles in this state that:

17 (A) ensures that adequate public electric
18 vehicle charging infrastructure is available:

19 (i) with sufficient frequency and capacity
20 to enable users of electric vehicles of various classes to travel
21 border to border and community to community on interstate highways
22 and other major roadways in this state;

23 (ii) along evacuation routes; and

24 (iii) in rural communities, multifamily and
25 underserved communities, town centers, commercial and retail
26 areas, parks and other publicly owned lands, and other areas that
27 are in proximity to where local electric vehicle users live or work;

1 (B) is safe, dependable, serviceable, and
2 operational;

3 (C) maximizes the benefits associated with
4 transportation electrification;

5 (D) enhances commerce by ensuring an adequate
6 distribution of public electric vehicle charging infrastructure is
7 available throughout the state to stimulate lower cost and lower
8 emissions from heavy duty trucking and delivery services;

9 (E) ensures adequate public electric vehicle
10 charging capacity to facilitate commerce:

11 (i) at or near the borders of this state;

12 (ii) in or near airports, rail yards, and
13 seaports; and

14 (iii) at warehouse complexes and truck
15 stops;

16 (F) enhances accessibility of tourist areas to
17 electric vehicle users; and

18 (G) covers any other areas identified by the
19 council;

20 (4) stimulate competition, innovation, and consumer
21 choice in public electric vehicle charging and related
22 infrastructure and services and encourage private capital
23 investment;

24 (5) specify the number and types of electric vehicle
25 chargers per general location that are needed to meet the
26 requirements prescribed by Subdivisions (2), (3), and (4);

27 (6) examine vehicle and charging infrastructure

1 changes necessary to provide demand response functions and two-way
2 electricity flow capability in order to allow vehicle-to-grid
3 integration for cost savings, grid reliability, and resiliency; and

4 (7) provide for electric transportation corridors in
5 and along Texas Department of Transportation rights-of-way that
6 include the infrastructure needed for vehicle electrification,
7 such as:

8 (A) advanced sensor networks for traffic;

9 (B) intelligent transportation services;

10 (C) connected vehicle applications; and

11 (D) improvements to energy infrastructure needed
12 to provide adequate vehicle charging.

13 (c) In developing and updating the plan, the council:

14 (1) shall use, to the extent practicable, publicly
15 available electric vehicle projections and models based on industry
16 standards to determine, for each year, the percentage and number of
17 electric vehicles by vehicle class that are expected on roadways in
18 this state and the number of electric vehicle chargers that are
19 needed to ensure that there is comprehensive and adequate access to
20 public electric vehicle charging infrastructure in this state; and

21 (2) may rely on scenarios provided by the Electric
22 Reliability Council of Texas or other information from appropriate
23 sources for the percentage and number of electric vehicles by
24 vehicle class on roadways in this state by year.

25 Sec. 490J.0055. STUDY ON ALTERNATIVELY FUELED VEHICLE
26 MILEAGE PROGRAM. (a) The council shall conduct a study on the
27 feasibility of implementing a program that imposes an additional

1 fee at the time of registration of an alternatively fueled vehicle
2 based on the annual mileage traveled by the vehicle.

3 (b) The study must contain an analysis of the economic
4 impacts of alternatively fueled vehicles on the state highway fund,
5 including an assessment of:

6 (1) the number of alternatively fueled vehicles
7 registered in the state, including future projections on the number
8 of those vehicles;

9 (2) the revenue lost from taxes imposed under Chapter
10 162, Tax Code, that an operator of an alternatively fueled vehicle
11 registered in this state would have paid if the vehicle operated
12 solely on gasoline or diesel fuel; and

13 (3) the amount of and method for calculating the
14 additional fee described by Subsection (a), the estimated revenue
15 collected from the fee, and the impact of inflation on the fee.

16 (c) Not later than December 1, 2024, the council shall:

17 (1) prepare a written report that includes a summary
18 of the results of the study conducted under this section and any
19 legislative recommendations based on the study; and

20 (2) include the report prepared under Subdivision (1)
21 in the initial report submitted under Section 490J.0085.

22 (d) This section expires September 1, 2027.

23 Sec. 490J.006. STATE AGENCY POLICY RECOMMENDATIONS. The
24 council shall develop policy recommendations that state agencies
25 may adopt to encourage the development of an adequate network of
26 public electric vehicle charging infrastructure and associated
27 technologies to meet the future electrified transportation needs in

1 this state through the year 2040.

2 Sec. 490J.007. STAKEHOLDER INPUT. In performing the
3 council's duties under this chapter, the council shall seek advice
4 and input from:

5 (1) privately owned electric utilities;

6 (2) municipally owned electric utilities;

7 (3) electric cooperatives;

8 (4) state and local transportation and transit
9 agencies;

10 (5) port authorities;

11 (6) warehousing and logistics centers;

12 (7) electric vehicle charging infrastructure
13 companies;

14 (8) environmental groups;

15 (9) consumer advocates;

16 (10) motor vehicle manufacturers;

17 (11) nonprofit organizations developing electric
18 vehicle policy;

19 (12) nonprofit organizations representing food or
20 motor fuel providers;

21 (13) apartment associations;

22 (14) low-income community development corporations;

23 (15) nonprofit organizations that represent
24 utilities, electric vehicle manufacturers, and charging companies;

25 and

26 (16) interested members of the public.

27 Sec. 490J.008. AUTHORITY TO CONTRACT AND CONSULT WITH

1 CERTAIN PERSONS. In performing the council's duties under this
2 chapter, the council may:

3 (1) contract with experts, academic scholars, and
4 other appropriate professionals; and

5 (2) consult with the Texas A&M Transportation
6 Institute and institutions of higher education.

7 Sec. 490J.0085. INITIAL REPORT. (a) Not later than
8 December 1, 2024, the council shall prepare and submit to the
9 governor, the lieutenant governor, each member of the legislature,
10 and relevant state and federal agencies a written report of the
11 council's findings that includes:

12 (1) the assessment prepared under Section 490J.0045;

13 (2) the plan developed under Section 490J.005,
14 including the phased implementation of the plan required by
15 Subsection (b)(1) of that section;

16 (3) the report prepared under Section 490J.0055; and

17 (4) the policy recommendations developed under
18 Section 490J.006.

19 (b) This section expires September 1, 2027.

20 Sec. 490J.009. BIENNIAL REPORT. Not later than December 1
21 of each even-numbered year, the council shall prepare and submit to
22 the governor, the lieutenant governor, each member of the
23 legislature, and relevant state and federal agencies a written
24 report that includes:

25 (1) a summary of the progress made on the
26 implementation of the plan developed under Section 490J.005;

27 (2) the biennial update to the plan required under

1 Section 490J.005(a)(2); and

2 (3) any updates to the policy recommendations
3 developed under Section 490J.006.

4 Sec. 490J.010. EXPIRATION. This chapter expires and the
5 council is abolished January 1, 2033.

6 SECTION 2. The Texas Transportation Electrification
7 Council shall submit its first report under Section 490J.009,
8 Government Code, as added by this Act, not later than December 1,
9 2026.

10 SECTION 3. This Act takes effect January 1, 2024.