

BILL ANALYSIS

Senate Research Center
89R15875 JRR-F

H.B. 2440
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Natural Resources
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Concerns have emerged about potential state actions that could restrict the sale or use of motor vehicles based on their energy source. Such measures raise issues of consumer choice and fears of regulatory overreach that may limit the transportation options available to Texans.

Safeguarding consumer freedom and preserving a diverse vehicle marketplace is essential, and prohibiting state agencies and the state's air quality implementation plan from imposing restrictions based on a vehicle's energy source will help achieve that goal.

H.B. 2440 amends the Transportation Code to prohibit a state agency from prohibiting or otherwise restricting the sale or use of a motor vehicle based on the vehicle's energy source, prohibiting a person from owning a motor vehicle that is powered by an engine.

H.B. 2440 also prohibits the state's air quality state implementation plan from including a provision that restricts the ability of a person to purchase any motor vehicle, including a motor vehicle powered by an engine.

H.B. 2440 defines the following terms: "energy source" as any fuel or power source used to power an engine; and "engine" as a machine for converting an energy source into mechanical force and motion, including an internal combustion engine or a generator.

H.B. 2440 amends current law relating to the authority of a state agency or the state's air quality state implementation plan to impose certain restrictions with respect to a motor vehicle, including a motor vehicle powered by an engine.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 750, Transportation Code, by adding Section 750.001, as follows:

Sec. 750.001. AUTHORITY OF STATE AGENCY OR STATE IMPLEMENTATION PLAN TO IMPOSE CERTAIN RESTRICTIONS WITH RESPECT TO MOTOR VEHICLE. (a) Defines "energy source" and "engine."

(b) Prohibits a state agency from prohibiting or otherwise restricting the sale or use of a motor vehicle based on the vehicle's energy source or prohibiting a person from owning a motor vehicle that is powered by an engine.

(c) Prohibits the state's air quality state implementation plan from including a provision that restricts the ability of a person to purchase any motor vehicle, including a motor vehicle powered by an engine.

SECTION 2. Effective date: September 1, 2025.