

BILL ANALYSIS

C.S.H.B. 2440
By: Curry
Environmental Regulation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The bill author has informed the committee that the possibility of the state restricting motor vehicle sales or usage based on a vehicle's energy source has led to concerns regarding consumer choice and regulatory overreach that could limit transportation options for Texans. C.S.H.B. 2440 seeks to protect consumer freedom and maintain a diverse vehicle market by prohibiting state agencies and the state's air quality state implementation plan from imposing certain restrictions on motor vehicles based on a vehicle's energy source.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2440 amends the Transportation Code to prohibit a state agency from doing the following:

- 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.

The bill 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. For these purposes, the bill 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.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 2440 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas the introduced prohibited a state agency from prohibiting or otherwise restricting the sale or use of a motor vehicle based on the energy source used to propel or otherwise power the vehicle, the substitute prohibits a state agency from doing so based on the vehicle's energy source and includes a provision absent from the introduced defining "energy source."

Whereas the introduced prohibited a state agency from prohibiting a person from owning a motor vehicle that is powered by an internal combustion engine, the substitute prohibits a state agency from prohibiting a person from owning a motor vehicle that is powered by an "engine" and includes a provision absent from the introduced defining that term.