

## **BILL ANALYSIS**

Senate Research Center  
81R8421 EAH-F

H.B. 1467  
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Natural Resources  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

There are numerous benefits to the state for offering incentives to use alternative fuel, from environmental protection to economic diversification. However, these incentives are ineffective if vehicles capable of using alternative fuels are purchased but remain mostly dependent on traditional fuels. Currently, state agencies are required to purchase vehicle fleets that are capable of using alternative fuel. These vehicles are often more expensive initially, but will result in lower fuel costs over the life of the vehicle, making them fiscally responsible purchases.

The existing statutes do not require the alternative fuel capability of these vehicles to be used for any proportion of total drive time, which has resulted in these higher cost vehicles not realizing much savings in fuel costs. By establishing minimum usage requirements, the state can ensure actual utilization of lower cost alternative fuel sources.

H.B. 1467 clarifies language surrounding the qualifying use of alternative fuel vehicles by state agencies.

[**Note:** While the statutory reference in this bill is to the Texas Natural Resource Conservation Commission (TNRCC), the following amendments affect the Texas Commission on Environmental Quality, as the successor agency to TNRCC.]

### **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 Section 2158.003(a), Government Code, to authorize the vehicle purchased by a state agency for the transportation of individuals to have a wheelbase of up to 116 inches or SAE net horsepower of up to 280 if the vehicle will be converted so that it uses, rather than is capable of using, certain types of gas or electricity.

SECTION 2. Amends Section 2158.004(a), Government Code, to make a conforming change.

SECTION 3. Amends Section 2158.005, Government Code, as follows:

Sec. 2158.005. New heading: PERCENTAGE REQUIREMENTS FOR VEHICLES USING ALTERNATIVE FUELS. (a) Requires a state agency that operates a fleet of more than 15 motor vehicles, excluding law enforcement and emergency vehicles, not later than September 30, 2010, rather than September 1, 1996, to have a fleet consisting of vehicles of which at least 50 percent use certain types of gas or electricity. Makes a conforming change.

(b) Redesignates Subsection (d) as Subsection (b). Deletes existing Subsection (b) (relating to requiring the Texas Natural Resource Conservation Commission (TNRCC) to review the program). Deletes existing Subsection (c) (relating to requiring the commission to assist TNRCC in collecting reasonable information needed to determine air quality benefits from use of certain types of gas or electricity at affected agencies). Requires a state agency in its annual financial report to the legislature to report its progress in achieving the percentage

requirements of this section by itemizing purchases, leases, and conversions of motor vehicles; itemizing usage of certain types of gas or electricity; and describing the availability of certain types of gas or electricity. Makes nonsubstantive changes.

(c) Redesignates Subsection (e) as Subsection (c).

(d) Redesignates Subsection (f) as Subsection (d). Authorizes the comptroller of public accounts (comptroller), rather than the commission, to reduce a percentage specified by this section or waive the requirements of this section for a state agency on receipt of certification supported by certain evidence acceptable to the comptroller. Makes a conforming and nonsubstantive change.

SECTION 4. Amends Section 2158.008, Government Code, as follows:

Sec. 2158.008. New heading: WHEN VEHICLE CONSIDERED TO BE USING ALTERNATIVE FUELS. Provides that in this subchapter, a vehicle is considered to be using, rather than capable of using, certain types of gas or electricity if the vehicle uses those fuels not less than 80 percent of the time the vehicle is driven and either in its original equipment engine or in an engine that has been converted to use those fuels. Makes a conforming change.

SECTION 5. Effective date: September 1, 2009.