

1-1 By: Thompson of Brazoria, Zwiener H.B. No. 1346
 1-2 (Senate Sponsor - Powell)
 1-3 (In the Senate - Received from the House April 24, 2019;
 1-4 April 29, 2019, read first time and referred to Committee on
 1-5 Natural Resources & Economic Development; May 9, 2019, reported
 1-6 adversely, with favorable Committee Substitute by the following
 1-7 vote: Yeas 11, Nays 0; May 9, 2019, sent to printer.)

1-8 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-9 | | | | |
| 1-10 | X | | | |
| 1-11 | X | | | |
| 1-12 | X | | | |
| 1-13 | X | | | |
| 1-14 | X | | | |
| 1-15 | X | | | |
| 1-16 | X | | | |
| 1-17 | X | | | |
| 1-18 | X | | | |
| 1-19 | X | | | |
| 1-20 | X | | | |

1-21 COMMITTEE SUBSTITUTE FOR H.B. No. 1346 By: Powell

1-22 A BILL TO BE ENTITLED
 1-23 AN ACT

1-24 relating to the eligibility requirements for the diesel emissions
 1-25 reduction incentive program.

1-26 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-27 SECTION 1. Section 386.104, Health and Safety Code, is
 1-28 amended by amending Subsection (c) and adding Subsections (c-1) and
 1-29 (c-2) to read as follows:

1-30 (c) Except as otherwise provided by this subsection, for
 1-31 ~~For~~ a proposed project as described by Section 386.102(b), other
 1-32 than a project involving a marine vessel or engine, not less than 75
 1-33 percent of vehicle miles traveled or hours of operation projected
 1-34 for the five years immediately following the award of a grant must
 1-35 be projected to take place in a nonattainment area or affected
 1-36 county of this state. The commission may set the minimum percentage
 1-37 of vehicle miles traveled or hours of operation required to take
 1-38 place in a nonattainment area or affected county at a percentage and
 1-39 for a period that is different from the percentage and period
 1-40 specified by this subsection, provided that the commission may not
 1-41 set the minimum percentage at a level that is less than 55 percent.
 1-42 The commission may ~~also~~ allow vehicle travel on highways and
 1-43 roadways, or portions of a highway or roadway, designated by the
 1-44 commission and located outside a nonattainment area or affected
 1-45 county to count towards the percentage of use requirement in this
 1-46 subsection.

1-47 (c-1) For a proposed project involving a marine vessel or
 1-48 engine, the vessel or engine must be operated in the intercoastal
 1-49 waterways or bays adjacent to a nonattainment area or affected
 1-50 county of this state for a sufficient amount of time over the
 1-51 lifetime of the project, as determined by the commission, to meet
 1-52 the cost-effectiveness requirements of Section 386.105.

1-53 (c-2) For a proposed project involving non-road equipment
 1-54 used for natural gas recovery purposes, the equipment must be
 1-55 operated in a nonattainment area or affected county for a
 1-56 sufficient amount of use over the lifetime of the project, as
 1-57 determined by the commission, to meet the cost-effectiveness
 1-58 requirements of Section 386.105.

1-59 SECTION 2. This Act takes effect September 1, 2019.

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