



# Legislative Overview:

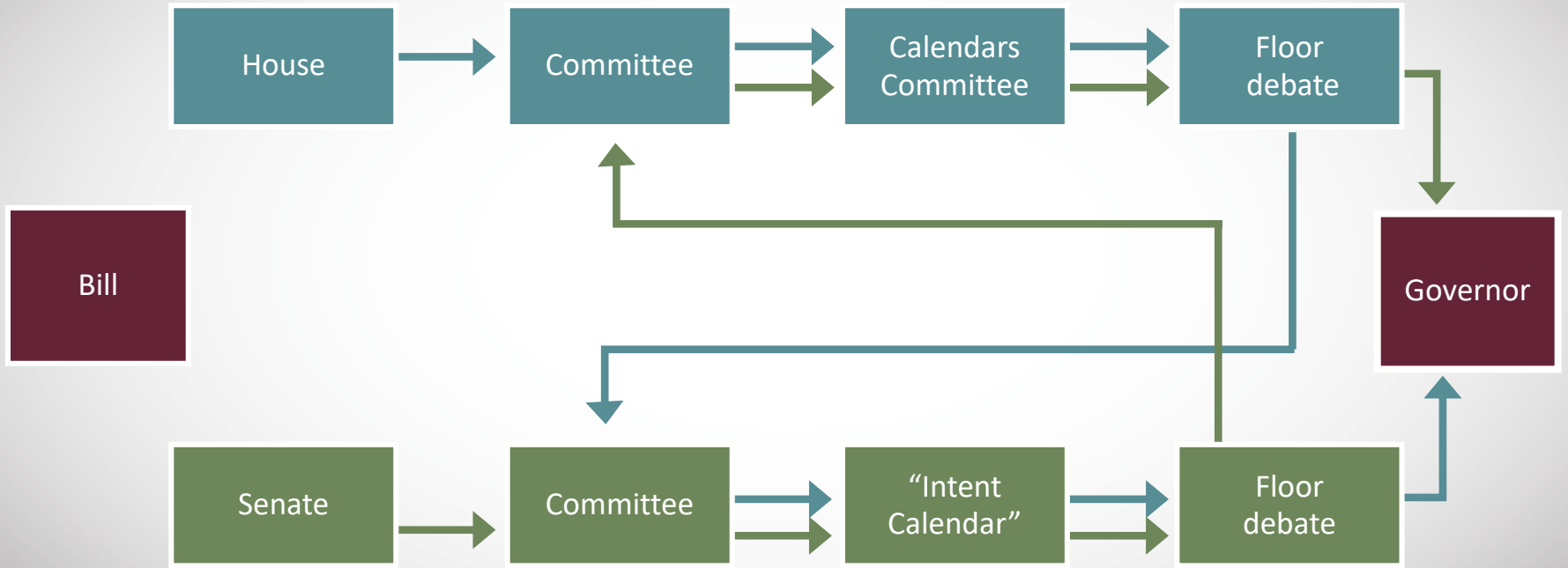
Legislation related to air quality from the 86<sup>th</sup>  
Regular Legislature

---

June 6, 2019

Kirbie Ferrell, Texas A&M Transportation Institute

# Texas Legislative Process

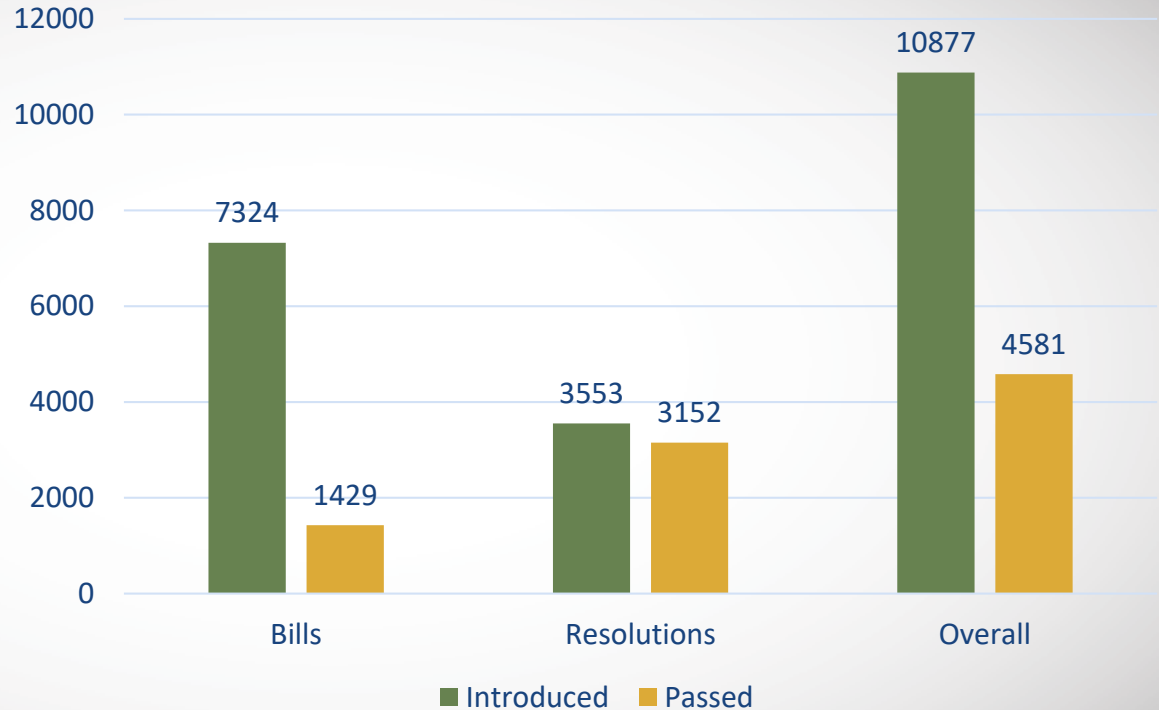


# 86<sup>th</sup> Legislature

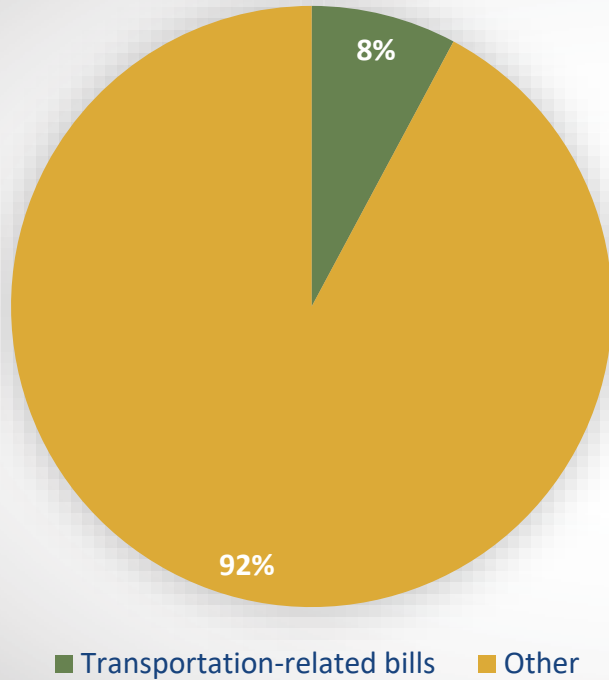
- 10,877 pieces of legislation filed

- 19.5% passage rate for bills

## Passage Rates for the 86<sup>th</sup> Legislative Session



# Transportation-related Bills



- Frequent Topics:
- Finance
  - Safety
  - CMV enforcement
  - Border-Crossing
  - High-speed Rail
  - Toll Road-Related
  - Oversize/Overweight Vehicles
  - Technology
  - Emerging Transportation (Scooters, Bikes, etc.)

# Transportation Bills Passed

- **SB 962** – extends expiration of the transfer of funds from the Economic Stabilization Fund (Rainy Day Fund) to the State Highway Fund
- **HB 71** – allows for creation of regional transit authorities; use of eminent domain
- **HB 1631** – prohibits the use of red light cameras; allows cities to finish
- **SB 604** – DMV sunset bill; amendment added for an alternative fuel vehicle study
- **HB 3745** – relating to the TERP fund and account



# Transportation and Air Quality Legislation

TERP Funding and  
Eligible Programs

Light-Duty Motor  
Vehicle Purchase or  
Lease Incentive  
Program

Local Initiative Air  
Quality Programs

Low-Income Vehicle  
Repair, Assistance,  
Retrofit, and  
Accelerated Vehicle  
Retirement Program

Exhaust Emissions

Alternative Fuel  
Vehicles

# Texas Emissions Reduction Program (TERP) Legislation – HB 3745

- Extends the transfer of surcharges from the State Highway Fund to TERP until attainment
- Creates a TERP account outside of the treasury
  - Funds do not have to be appropriated legislatively
  - Greater flexibility in distributing funds to administer TERP programs
  - Doubles amount to be used in TERP administrative costs

# TERP Funding and Eligible Programs

**HB 1345, HB 1746, HB 3745\*, SB 531** – Extend deposit of surcharges to TERP fund (Did not pass)

**HB 3802** – creation of a zero-emission vehicle program under TERP (Did not pass)

**HB 4378/SB 2154, HB 2094** – Grants for non-road natural gas and diesel vehicles (Did not pass)

**HB 3249** – TERP funding for a transportation emissions reduction study (Did not pass)



# Local Initiative Bills

**HB 813** – Adjustment of disbursement rates of emissions collections and changes to use of funds:

- Counties with population greater than 4 million would receive at least 90% of the collected revenue from that county.
- Counties that participate in LIRAP would be able to expand use of funds to include system improvements for congestion reduction. (Did not pass)

**HB 2253/SB 1070 (Did not pass)** – expansion of eligible areas under local initiative programs to include areas such as:

- freeway incident management projects;
- local vehicle repair and replacement; and
- regional data collection for air quality and multimodal transportation data to improve efficiency, etc. (Did not pass)

**HB 2664 (Did not pass)** - It would have repealed the LIRAP program and added a project area in local initiative eligibility for making improvements to existing roadways to reduce congestion. (Did not pass)

# Light-Duty Motor Vehicle Purchase or Lease Incentive Program

- **HB 889** – Repeal of the program to increase funding for other programs
- **HB 1649** – Exclusion of scooters for eligibility in the incentive program
- **SB 486** – Added electric drive powered motorcycles to eligibility for the \$2,500 incentive

(No bills in this section passed.)



- **HB 1212/S 892** – Prohibits the modification or reprogramming of any part of a diesel-powered vehicle in a way the operator knows or should know will increase the vehicle's capacity to emit soot, smoke, or other particulate matter (Did not pass)
- **HB 2661** – Requirement for schools districts to adopt bus idling policy (Did not pass)
- **SB 604** – Amendment added for a contract for an alternative fuel vehicle study (**Passed**)

## Emissions Reduction and Related Bills



# 86<sup>th</sup> Legislature:

*Air quality changes and  
takeaways*

- Passage of HB 3745 making adjustments to the administration of the TERP fund and account
- Passage of SB 604 and the amendment for a study on alternative fuel vehicles
- Increased attention to congestion as an air quality issue



Questions?