

A-Engrossed
House Bill 3056

Ordered by the House June 1
Including House Amendments dated June 1

Sponsored by JOINT COMMITTEE ON TRANSPORTATION (at the request of Representative Susan McLain,
Senator Lee Beyer)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Directs Department of Environmental Quality to issue clean fuels program credits to qualified credit generator that are equal to the value of unused transportation project tax credits. **Requires credit generator and department to enter into agreement concerning use of proceeds of clean fuels program credits issued under Act and retirement of certain clean fuels program credits.**

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to clean fuels program credits; and prescribing an effective date.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) As used in this section, "clean fuels program," "credit aggregator" and**
5 **"credit generator" have the meanings given those terms in ORS 468A.265.**

6 **(2) The Department of Environmental Quality shall issue clean fuels program credits to**
7 **a credit generator based on the dollar amount of any unused tax credit allowable to the**
8 **credit generator under ORS 315.336. To claim clean fuels program credits under this section**
9 **a credit generator must:**

10 **(a) Be a public transit operator that serves two or more Oregon counties;**

11 **(b) Have been approved as a credit generator by the department prior to January 1, 2020;**

12 **(c) On or before December 1, 2021, request that the department issue the clean fuels**
13 **program credits; and**

14 **(d) Enter into an agreement with the department providing that:**

15 **(A) The proceeds of the credits issued to the credit generator under this section will be**
16 **used for the purchase of zero-emission, battery-powered electric transit buses and charging**
17 **infrastructure for transit operations;**

18 **(B) Battery-powered electric transit buses and charging infrastructure purchased pur-**
19 **suant to subparagraph (A) of this paragraph and any other battery-powered electric transit**
20 **buses or charging infrastructure acquired by the credit generator will be used to generate**
21 **credits in the clean fuels program;**

22 **(C) The credit generator will not designate a credit aggregator for the amount of elec-**
23 **tricity dispensed to or consumed by the credit generator's battery-powered electric transit**
24 **buses;**

25 **(D) The credit generator will directly report the amount of electricity dispensed to or**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 consumed by the credit generator's battery-powered electric transit buses;

2 (E) The department will retire the clean fuels program credits attributable to the credit
3 generator's use of battery-powered electric transit buses until the credit generator has gen-
4 erated an amount of credits equal to the amount of clean fuels program credits issued to the
5 credit generator under this section; and

6 (F) The generation and retirement of clean fuels program credits attributable to the
7 credit generator's use of battery-powered electric transit buses as provided in this section
8 will not affect credits generated by the credit generator for any other use.

9 (3) The number of clean fuels program credits issued to a credit generator under this
10 section must be calculated by dividing the dollar amount of the unused tax credit by the most
11 recent value-weighted average price of clean fuels program credits calculated by the depart-
12 ment under ORS 468A.271.

13 (4) The department shall issue clean fuels program credits requested under this section
14 no later than January 1, 2022.

15 (5) A tax credit used to request clean fuels program credits under this section may not
16 thereafter be used as a tax credit in any tax year.

17 SECTION 2. This 2021 Act takes effect on the 91st day after the date on which the 2021
18 regular session of the Eighty-first Legislative Assembly adjourns sine die.

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