

House Bill 2714

Sponsored by Representatives HELM, HOLVEY (Presession filed.)

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 **as introduced**.

Directs Department of Environmental Quality to establish program to provide rebates to persons that purchase qualifying medium or heavy duty zero-emission vehicles.
Establishes Zero-Emission Medium and Heavy Duty Vehicle Incentive Fund.

A BILL FOR AN ACT

1
2 Relating to zero-emission vehicles.

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

4 **SECTION 1. (1) As used in this section, "qualifying vehicle" means a motor vehicle, as**
5 **defined in ORS 801.360, or a combination of vehicles operated as a unit, that:**

6 (a) **Has a gross vehicle weight rating that is greater than 14,000 pounds;**

7 (b) **Has a drivetrain that produces zero exhaust emissions of any criteria pollutant or**
8 **greenhouse gas; and**

9 (c) **Meets other criteria established by the Environmental Quality Commission by rule.**

10 (2) **The Department of Environmental Quality shall establish a program for providing**
11 **rebates to persons that purchase qualifying vehicles for use in this state. The Director of the**
12 **Department of Environmental Quality may hire or contract with a third-party nonprofit or-**
13 **ganization to implement and serve as the administrator of the program required by this**
14 **section.**

15 (3) **The department may:**

16 (a) **Specify design features for the program; and**

17 (b) **Establish procedures to:**

18 (A) **Prioritize available moneys for specific qualifying vehicles; and**

19 (B) **Limit the number of rebates available for each type of qualifying vehicle.**

20 (4) **The purchaser of a qualifying vehicle may apply for a rebate for a portion of the**
21 **purchase price or may choose to assign the rebate to a vehicle dealer.**

22 (5) **Rebates under the program shall be made from moneys credited to or deposited in the**
23 **Zero-Emission Medium and Heavy Duty Vehicle Incentive Fund established under section 2**
24 **of this 2023 Act.**

25 (6) **The department shall prescribe the rebate application procedure for purchasers. All**
26 **rebate applications must include a declaration under penalty of perjury in the form required**
27 **by ORCP 1 E.**

28 (7)(a) **Rebates for qualifying vehicles shall be set annually at amounts determined by the**
29 **commission by rule.**

30 (b) **The commission may establish separate rebate amounts for different classes of vehi-**
31 **cles.**

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 (c) The commission may establish an additional rebate for fleet owners that purchase
2 qualifying vehicles that will be registered to an address, or frequently operated, in an area
3 of this state that is disproportionately burdened by air pollution as determined by the com-
4 mission.

5 (8) To be eligible for a rebate, a person requesting a rebate under the program shall:

6 (a) Purchase a qualifying vehicle.

7 (b) Provide proof of an intent to use the qualifying vehicle primarily on the public high-
8 ways of this state, which may be satisfied by providing proof of registration of the qualifying
9 vehicle in Oregon.

10 (c) Submit an application for a rebate to the administrator of the program within six
11 months after the date of purchase of the qualifying vehicle.

12 (d) Retain registration of the qualifying vehicle for a minimum of 24 consecutive months
13 after the date of purchase.

14 (9) A rebate recipient may not make or allow any modifications to the qualifying vehicle's
15 emissions control systems, hardware or software calibrations.

16 (10)(a) If a rebate recipient sells the qualifying vehicle before the end of 24 months, the
17 rebate recipient shall:

18 (A) Notify the administrator of the program of the sale; and

19 (B) Reimburse the administrator for the rebate in a prorated amount based on the
20 number of months that the rebate recipient owned the qualifying vehicle.

21 (b) The administrator may waive the reimbursement requirement under paragraph (a)
22 of this subsection if the administrator determines that a waiver is appropriate given un-
23 foreseeable or unavoidable circumstances that gave rise to a need for the rebate recipient
24 to sell the qualifying vehicle before the end of 24 months.

25 (11) Rebate recipients may be requested to participate in ongoing research efforts.

26 (12) The administrator of the program shall work to ensure timely payment of rebates
27 with a goal of paying rebates within 60 days after receiving an application for a rebate.

28 (13) A vehicle dealer may advertise the program on the premises owned or operated by
29 the vehicle dealer. If no moneys are available from the program or the program otherwise
30 changes, a vehicle dealer who advertises the program may not be held liable for advertising
31 false or misleading information.

32 (14) The Environmental Quality Commission may adopt any rules necessary to carry out
33 the provisions of this section.

34 **SECTION 2.** (1) The Zero-Emission Medium and Heavy Duty Vehicle Incentive Fund is
35 established in the State Treasury, separate and distinct from the General Fund. Interest
36 earned by the Zero-Emission Medium and Heavy Duty Vehicle Incentive Fund shall be cred-
37 ited to the fund.

38 (2) Moneys in the Zero-Emission Medium and Heavy Duty Vehicle Incentive Fund shall
39 consist of:

40 (a) Amounts donated to the fund;

41 (b) Amounts appropriated or otherwise transferred to the fund by the Legislative As-
42 ssembly;

43 (c) Other amounts deposited in the fund from any public or private source; and

44 (d) Interest earned by the fund.

45 (3) Moneys in the Zero-Emission Medium and Heavy Duty Vehicle Incentive Fund are

1 **continuously appropriated to the Department of Environmental Quality to be used to carry**
2 **out the provisions of section 1 of this 2023 Act.**

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