

Chapter 463

(Senate Bill 61)

AN ACT concerning

**Maryland Transit Administration – Conversion to Zero-Emission Buses
(Zero-Emission Bus Transition Act Revisions)**

FOR the purpose of requiring the Maryland Transit Administration to provide certain safety and workforce development training for its operations training workforce and its maintenance workforce; requiring the Administration’s annual report on the implementation of the conversion of the State’s transit bus fleet to zero-emission buses to include a plan that ensures certain employee protections and a certification that the Administration is adhering to the plan; and generally relating to converting the State’s transit bus fleet to zero-emission buses.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 7–406

Annotated Code of Maryland

(2020 Replacement Volume and 2021 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Transportation

7–406.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “Alternative-fuel bus” means a motor vehicle that:
- (i) Is designed to carry more than 10 passengers and is used to carry passengers for compensation;
 - (ii) Is not powered by diesel or gasoline;
 - (iii) Provides greenhouse gas emissions reductions in comparison to an equivalent diesel-powered vehicle; and
 - (iv) Is not a taxicab.
- (3) “Bus” has the meaning stated in § 11–105 of this article.
- (4) “Zero-emission bus” means a motor vehicle that is:

- (i) Designed to carry more than 10 passengers and is used to carry passengers for compensation;
 - (ii) A zero-emission vehicle; and
 - (iii) Not a taxicab.
- (5) “Zero-emission vehicle” means:
- (i) A fuel cell electric vehicle that:
 - 1. Is a motor vehicle;
 - 2. Is made by a manufacturer;
 - 3. Is manufactured primarily for use on public streets, roads, and highways;
 - 4. Has a maximum speed capability of at least 55 miles per hour;
 - 5. Is powered entirely by electricity, produced by combining hydrogen and oxygen, that runs the motor;
 - 6. Has an operating range of at least 100 miles; and
 - 7. Produces only water vapor and heat as by-products; or
 - (ii) A plug-in electric drive vehicle that:
 - 1. Is a motor vehicle;
 - 2. Is made by a manufacturer;
 - 3. Has a maximum speed capability of at least 55 miles per hour; and
 - 4. Is propelled by an electric motor that draws electricity from a battery that:
 - A. Has a capacity of not less than 4 kilowatt-hours; and
 - B. Is capable of being recharged from an external source of electricity.

(b) (1) This section applies to the Administration's State transit bus fleet.

(2) This section does not apply to a bus that is part of a locally operated transit system.

(c) (1) Except as provided in paragraph (2) of this subsection, beginning in fiscal year 2023, the Administration may not enter into a contract to purchase buses for the Administration's State transit bus fleet that are not zero-emission buses.

(2) If the Administration determines that no available zero-emission bus meets the performance requirements for a particular use, the Administration may purchase an alternative-fuel bus for that use.

(3) The full cost of zero-emission and alternative-fuel buses purchased under this subsection shall be paid from the Transportation Trust Fund.

(d) **(1) THE ADMINISTRATION SHALL PROVIDE SAFETY AND WORKFORCE DEVELOPMENT TRAINING FOR ITS:**

(I) OPERATIONS TRAINING WORKFORCE; AND

(II) MAINTENANCE WORKFORCE IN A MANNER THAT ENABLES THE MAINTENANCE WORKFORCE TO SAFELY REPAIR AND MAINTAIN:

1. THE ADMINISTRATION'S ZERO-EMISSION BUSES AND ALL THEIR COMPONENTS; AND

2. THE CHARGING INFRASTRUCTURE FOR THE ZERO-EMISSION BUSES.

(2) THE TRAINING REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE REGISTERED APPRENTICESHIPS AND OTHER LABOR-MANAGEMENT TRAINING PROGRAMS TO ADDRESS THE IMPACT OF THE TRANSITION TO ZERO-EMISSION BUSES ON THE ADMINISTRATION'S WORKFORCE.

(E) The Administration shall ensure the development of charging infrastructure to support the operation of zero-emission buses in the State transit bus fleet.

[(e)] (F) (1) On or before January 1, 2022, and each January 1 thereafter, the Administration shall, in accordance with § 2-1257 of the State Government Article, submit a report to the Senate Budget and Taxation Committee, the Senate Education, Health, and Environmental Affairs Committee, the House Appropriations Committee, and the House Environment and Transportation Committee on the implementation of this section.

(2) The annual report shall include:

(i) A schedule for converting the Administration's State transit bus fleet to zero-emission buses;

(ii) An evaluation of the charging infrastructure needed for the Administration to create and maintain a State transit bus fleet of zero-emission buses;

(iii) A plan for [transitioning]:

1. **TRANSITIONING** any State employees adversely affected by the conversion from a diesel-powered State transit bus fleet to a zero-emission State transit bus fleet to similar or other employment within the Administration or Department that has commensurate seniority, pay, and benefits;

2. **ENSURING THAT NO DUTIES OR FUNCTIONS OF STATE EMPLOYEES ARE TRANSFERRED TO A CONTRACTING ENTITY AS A RESULT OF THE CONVERSION FROM A DIESEL-POWERED STATE TRANSIT BUS FLEET TO A ZERO-EMISSION STATE TRANSIT BUS FLEET; AND**

3. **ENSURING THAT ANY ENTITY OTHER THAN THE ADMINISTRATION THAT OPERATES OR MAINTAINS ZERO-EMISSION BUSES ON BEHALF OF THE ADMINISTRATION PROVIDES EMPLOYEE PROTECTIONS EQUIVALENT TO THE PROTECTIONS REQUIRED BY THE PLAN;**

(IV) A CERTIFICATION THAT THE ADMINISTRATION IS ADHERING TO THE PLAN REQUIRED UNDER ITEM (III) OF THIS PARAGRAPH;

~~[(iv)]~~ (v) In coordination with other appropriate State agencies, an estimate of the reduction in the amount of carbon dioxide emissions, measured in pounds, that will be obtained through the use of zero-emission buses each year until the State transit bus fleet is converted to zero-emission buses; and

~~[(v)]~~ (vi) A financial analysis:

1. Of the projected cost of purchasing, maintaining, and providing charging infrastructure for the zero-emission State transit bus fleet each year until the fleet is converted to zero-emission buses; and

2. Comparing the projected cost under item 1 of this item to the projected cost of continuing to operate a diesel-powered State transit bus fleet.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.

Approved by the Governor, May 16, 2022.