

HB1391/563827/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1391
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**Delegate Fraser–Hidalgo**” and substitute “**Delegates Fraser–Hidalgo, Amprey, Barve, Boyce, Foley, Healey, Holmes, Jalisi, Love, Otto, Prettyman, Ruth, Stein, Stewart, Terrasa, and Wells**”; in line 3, after “of” insert “establishing the Medium–Duty and Heavy–Duty Zero–Emission Vehicle Grant Program to be administered by the Maryland Energy Administration;”; in the same line, strike “extending and”; after line 10, insert:

“BY adding to

Article – State Government
Section 9–2010
Annotated Code of Maryland
(2021 Replacement Volume)”;

and in line 13, after “Section” insert “11–103.4 and”.

AMENDMENT NO. 2

On page 1, after line 17, insert:

“Article – State Government

9–2010.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “GRANT” MEANS A MEDIUM-DUTY OR HEAVY-DUTY ZERO-EMISSION VEHICLE GRANT ISSUED BY THE ADMINISTRATION UNDER THIS SECTION FOR UP TO 20% OF THE COST OF A QUALIFIED MEDIUM-DUTY OR HEAVY-DUTY ZERO-EMISSION VEHICLE, QUALIFIED MEDIUM-DUTY OR HEAVY-DUTY ZERO-EMISSION VEHICLE SUPPLY EQUIPMENT, OR ZERO-EMISSION HEAVY EQUIPMENT PROPERTY.

(3) “PROGRAM” MEANS THE MEDIUM-DUTY AND HEAVY-DUTY ZERO-EMISSION VEHICLE GRANT PROGRAM.

(4) “QUALIFIED MEDIUM-DUTY OR HEAVY-DUTY ZERO-EMISSION VEHICLE” MEANS A MOTOR VEHICLE THAT IS:

(I) RATED AT MORE THAN 8,500 POUNDS UNLOADED GROSS WEIGHT; AND

(II) POWERED BY ELECTRICITY THAT IS STORED IN A BATTERY OR PRODUCED BY A HYDROGEN FUEL CELL.

(5) “QUALIFIED MEDIUM-DUTY OR HEAVY-DUTY ZERO-EMISSION VEHICLE SUPPLY EQUIPMENT” MEANS PROPERTY IN THE STATE THAT IS USED FOR RECHARGING OR REFUELING MEDIUM-DUTY OR HEAVY-DUTY ZERO-EMISSION VEHICLES OR ZERO-EMISSION HEAVY EQUIPMENT.

(6) “ZERO-EMISSION HEAVY EQUIPMENT PROPERTY” MEANS CONSTRUCTION, EARTHMOVING, OR INDUSTRIAL HEAVY EQUIPMENT, INCLUDING ANY ATTACHMENT FOR THE EQUIPMENT, THAT:

1. IS MOBILE; AND

2. DOES NOT USE AN INTERNAL COMBUSTION ENGINE.

(II) "ZERO-EMISSION HEAVY EQUIPMENT PROPERTY"
INCLUDES:

1. A SELF-PROPELLED VEHICLE THAT IS NOT DESIGNED TO BE DRIVEN ON A HIGHWAY; AND

2. INDUSTRIAL ELECTRICAL GENERATION EQUIPMENT, INDUSTRIAL LIFT EQUIPMENT, INDUSTRIAL MATERIAL HANDLING EQUIPMENT, OR OTHER SIMILAR INDUSTRIAL EQUIPMENT.

(B) (1) THERE IS A MEDIUM-DUTY AND HEAVY-DUTY ZERO-EMISSION VEHICLE GRANT PROGRAM.

(2) THE ADMINISTRATION SHALL ADMINISTER THE PROGRAM.

(C) (1) FOR EACH OF FISCAL YEARS 2024 THROUGH 2026, A PERSON OR A UNIT OF LOCAL GOVERNMENT MAY APPLY TO THE ADMINISTRATION FOR A GRANT UNDER THE PROGRAM.

(2) FOR THE PURPOSE OF CALCULATING THE AMOUNT OF A GRANT, THE ADMINISTRATION MAY ALLOW AN APPLICANT TO INCLUDE REASONABLE INSTALLATION COSTS IN THE COST OF QUALIFIED MEDIUM-DUTY OR HEAVY-DUTY ZERO-EMISSION VEHICLE SUPPLY EQUIPMENT.

(D) PROGRAM GRANTS ARE SUBJECT TO AVAILABLE FUNDING AND § 9-20B-05(J)(4) OF THIS TITLE.

(E) (1) NOTWITHSTANDING § 9-20B-05(G) OF THIS TITLE, IN EACH OF FISCAL YEARS 2024 THROUGH 2027, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST \$1,000,000 FROM THE STRATEGIC ENERGY INVESTMENT FUND FOR QUALIFIED MEDIUM-DUTY OR HEAVY-DUTY ZERO-EMISSION VEHICLES UNDER THE PROGRAM.

(2) NOTWITHSTANDING § 9-20B-05(G) OF THIS TITLE, IN EACH OF FISCAL YEARS 2024 THROUGH 2027, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST \$750,000 FROM THE STRATEGIC ENERGY INVESTMENT FUND FOR HEAVY EQUIPMENT PROPERTY UNDER THE PROGRAM.”;

after line 18, insert:

“11-103.4.

“Autocycle” means a motor vehicle that:

- (1) Has two front wheels and one rear wheel;
- (2) Has a steering [wheel] MECHANISM;
- (3) Has permanent seats on which the operator or a passenger is not required to sit astride;
- (4) Has foot pedals to control [acceleration,] AT LEAST ONE OF THE FOLLOWING:

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(I) ACCELERATION; [braking.]

(II) BRAKING; [and, if] OR

(III) IF applicable, a clutch; and

(5) Is manufactured to comply with federal safety standards for motorcycles.”;

in line 20, after “(a)” insert “**(1)**”; in the same line, after “section” insert “**THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**”

(2) **“AUTOCYCLE” HAS THE MEANING STATED IN § 11-103.4 OF THIS ARTICLE.**

(3) **“EXCISE TAX” MEANS” THE TAX IMPOSED UNDER § 13-809 OF THIS SUBTITLE”;**

strike beginning with the comma in line 20 down through “subtitle” in line 21; after line 21, insert:

“(4) (I) “ZERO-EMISSION HEAVY EQUIPMENT PROPERTY” MEANS CONSTRUCTION, EARTHMOVING, OR INDUSTRIAL EQUIPMENT, INCLUDING ANY ATTACHMENT FOR THE HEAVY EQUIPMENT, THAT:

1. IS MOBILE; AND

2. DOES NOT USE AN INTERNAL COMBUSTION ENGINE.

(Over)

(II) “ZERO-EMISSION HEAVY EQUIPMENT PROPERTY”

INCLUDES:

1. A SELF-PROPELLED VEHICLE THAT IS NOT DESIGNED TO BE DRIVEN ON A HIGHWAY; AND

2. INDUSTRIAL ELECTRICAL GENERATION EQUIPMENT, INDUSTRIAL LIFT EQUIPMENT, INDUSTRIAL MATERIAL HANDLING EQUIPMENT, OR OTHER SIMILAR INDUSTRIAL EQUIPMENT.

(5) “ZERO-EMISSION PLUG-IN ELECTRIC DRIVE VEHICLE” MEANS A MOTOR VEHICLE THAT:

(I) IS MADE BY A MANUFACTURER;

(II) HAS A MAXIMUM SPEED CAPABILITY OF AT LEAST 55 MILES PER HOUR; AND

(III) IS PROPELLED BY AN ELECTRIC MOTOR THAT DRAWS ELECTRICITY FROM A BATTERY THAT:

1. HAS A CAPACITY OF NOT LESS THAN 4 KILOWATT-HOURS; AND

2. IS CAPABLE OF BEING RECHARGED FROM AN EXTERNAL SOURCE OF ELECTRICITY.”;

and in line 23, after “A” insert “ZERO-EMISSION”.

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On page 2, in line 3, strike “\$55,000” and substitute “\$50,000”; in lines 6 and 13, in each instance, strike “2020” and substitute “2023”; in line 6, strike “2025” and substitute “2027”; in the same line, strike “and”; in line 11, strike “\$55,000” and substitute “\$50,000”; in line 13, strike “2025” and substitute “2027; AND”

(3) ZERO-EMISSION HEAVY EQUIPMENT PROPERTY THAT IS:

(I) PURCHASED OR LEASED BUT DOES NOT NEED TO BE TITLED;

(II) ACQUIRED FOR USE OR LEASE AND IS NOT FOR RESALE;
AND

(III) PURCHASED NEW FOR THE FIRST TIME ON OR AFTER JULY 1, 2023, BUT BEFORE JULY 1, 2027;

in line 15, after “a” insert “ZERO-EMISSION”; in the same line, strike “or” and substitute a comma; in the same line, after “electric vehicle” insert “, OR ZERO-EMISSION HEAVY EQUIPMENT PROPERTY”; in line 19, after “PLUG-IN” insert “ELECTRIC DRIVE VEHICLE”; strike beginning with “\$1,500” in line 21 down through “(3)” in line 23; in line 26, after “MOTORCYCLE” insert “OR AUTOCYCLE”; and in the same line, after “PURCHASED” insert “; OR”

(3) \$5,000 FOR EACH ZERO-EMISSION HEAVY EQUIPMENT PROPERTY THAT IS PURCHASED OR LEASED”.

On page 3, after line 9, insert:

“(H) FOR EACH OF FISCAL YEARS 2024 THROUGH 2029, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL STATE BUDGET AN APPROPRIATION OF

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\$8,250,000 TO PROVIDE EXCISE TAX CREDITS FOR ZERO-EMISSION PLUG-IN ELECTRIC DRIVE VEHICLES, FUEL CELL ELECTRIC VEHICLES, AND ZERO-EMISSION HEAVY EQUIPMENT PROPERTY UNDER THIS SECTION.”;

in line 12, strike “2023 through 2025” and substitute “2024 through 2027”; in line 16, after “qualified” insert “zero-emission”; in line 17, strike “and two- and” and substitute “two-wheeled zero-emission electric motorcycles,”; in the same line, after “motorcycles” insert “or autocycles, and zero-emission heavy equipment property”; in line 18, after “Article” insert “and § 9-2010 of the State Government Article”; in line 22, strike “fiscal year” and substitute “of fiscal years 2024 through 2027”; and in lines 27 and 29, in each instance, strike “2020” and substitute “2023”.