

Chapter 693

(Senate Bill 137)

AN ACT concerning

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

FOR the purpose of prohibiting, beginning in a certain fiscal year, the Maryland Transit Administration from entering into a contract to purchase buses for the Administration's State transit bus fleet that are not zero-emission buses, subject to a certain exception; authorizing the Administration to purchase alternative-fuel buses under certain circumstances; requiring the full cost of certain zero-emission and alternative-fuel buses to be paid from the Transportation Trust Fund; requiring the Administration to ensure the development of certain charging infrastructure; requiring the Administration, on or before a certain date and each year thereafter, to submit a report to certain committees of the General Assembly on the implementation of this Act; requiring the annual report to include a schedule for converting the State transit bus fleet to zero-emission buses ~~exclusively~~, an evaluation of the necessary charging infrastructure, a plan for transitioning adversely affected State employees to certain similar or other employment, a certain estimate of the potential reduction in emissions, and certain financial analyses related to the projected costs of the conversion to zero-emission buses; providing for the application of this Act; defining certain terms; and generally relating to converting the Maryland Transit Administration's fleet of State transit buses to zero-emission buses exclusively.

BY adding to

Article – Transportation

Section 7-406

Annotated Code of Maryland

(2020 Replacement Volume)

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.

~~(2)~~ (3) “BUS” HAS THE MEANING STATED IN § 11-105 OF THIS ARTICLE.

~~(3)~~ (4) “ZERO-EMISSION BUS” MEANS A MOTOR VEHICLE THAT IS:

(I) ~~1~~ DESIGNED TO CARRY MORE THAN 10 PASSENGERS AND IS USED TO CARRY PASSENGERS FOR COMPENSATION; ~~OR~~

~~2~~ ~~DESIGNED AND USED TO CARRY PASSENGERS FOR COMPENSATION;~~

(II) A ZERO-EMISSION VEHICLE; AND

(III) NOT A TAXICAB.

~~(4)~~ (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 ~~TO A SIGNIFICANT EXTENT~~ 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) ~~BEGINNING~~ 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) THE ADMINISTRATION SHALL ENSURE THE DEVELOPMENT OF CHARGING INFRASTRUCTURE TO SUPPORT THE OPERATION OF ZERO-EMISSION BUSES IN THE STATE TRANSIT BUS FLEET.

~~(D)~~ (E) (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 ~~EXCLUSIVELY~~;

(II) AN EVALUATION OF THE CHARGING INFRASTRUCTURE NEEDED FOR THE ADMINISTRATION TO CREATE AND MAINTAIN A STATE TRANSIT BUS FLEET OF ZERO-EMISSION BUSES ~~EXCLUSIVELY~~;

(III) A PLAN FOR 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;

(IV) 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 ~~EXCLUSIVELY~~; AND

(V) 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 ~~EXCLUSIVELY~~; 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 October 1, 2021.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 30, 2021.