

## **BILL ANALYSIS**

Senate Research Center  
80R979 SMH-D

S.B. 124  
By: Ellis  
Natural Resources  
3/26/2007  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The federal Clean Air Act established standards for vehicle emissions. Section 209 of the Clean Air Act authorized California to establish stricter standards than the federal standards established by that Act. Recognizing that some states may also need stricter standards to combat air pollution, the United States Congress also allows states to adopt the California low-emissions vehicle standards. The California Air Resources Board first adopted low-emission vehicle standards in 1990, which set stricter standards for smog-forming pollutants. California is now implementing additional low-emission vehicle standards which will further reduce ozone precursors and regulate greenhouse gas emissions.

According to the federal government, two-thirds of Texans live in areas where the air is unhealthy to breathe. Pollution not only causes health problems, it costs families and local government significant amounts of money. The City of Houston found that air pollution costs the metropolitan area some \$3 billion every year in health care costs, missed work days, and other costs. Houston, Dallas, and parts of Central Texas are currently in non-attainment status regarding ozone levels because they have not met the basic levels that the Environmental Protection Agency has set. Texas is currently leading the country in auto emissions of certain pollutants, contributing to the low-quality air in parts of Texas.

As proposed, S.B. 124 instructs the Texas Commission on Environmental Quality (TCEQ) to implement a low-emission vehicle program that is consistent with Phase II of the California emissions program, starting in model year 2009, and to adopt rules as necessary to remain consistent with the California standard.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTION 4 (Section 382.0192, Health and Safety Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Titles this Act the Low-Emission Vehicle Act.

SECTION 2. Sets forth legislative findings on which this Act is based.

SECTION 3. Sets forth the legislative intent of this Act.

SECTION 4. Amends Subchapter B, Chapter 382, Health and Safety Code, by adding Section 382.0192, as follows:

Sec. 382.0192. LOW-EMISSION VEHICLE PROGRAM. Defines "Phase II of the California Low-Emission Vehicle Program." Requires the Texas Commission on Environmental Quality (TCEQ) to implement a low-emission vehicle program that is consistent with Phase II of the California Low-Emission Vehicle Program. Provides that the program only applies to vehicles of model year 2009 or later. Requires TCEQ to adopt rules to implement this section.

SECTION 5. Effective date: upon passage or September 1, 2007.