

House Bill 2529

Sponsored by Representative REARDON (Pre-session 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**.

Modifies maximum suggested retail price for qualifying vehicles powered by hydrogen fuel cells for purposes of zero-emission and vehicle rebate.

Applies to vehicles purchased on or after effective date of Act.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to hydrogen fuel cell vehicles; creating new provisions; amending section 148, chapter 750,
3 Oregon Laws 2017; and prescribing an effective date.

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

5 **SECTION 1.** Section 148, chapter 750, Oregon Laws 2017, as amended by section 154, chapter
6 750, Oregon Laws 2017, and section 34, chapter 491, Oregon Laws 2019, is amended to read:

7 **Sec. 148.** As used in sections 148 to 152, chapter 750, Oregon Laws 2017:

8 (1) "Light-duty zero-emission vehicle" means a motor vehicle that:

9 (a) Has a gross vehicle weight rating of 8,500 pounds or less;

10 (b) Is capable of attaining a speed of 55 miles per hour or more; and

11 (c) Is powered:

12 (A) Primarily by an electric battery and may or may not use a flywheel energy storage device
13 or a capacitor that also stores energy to assist in vehicle operation.

14 (B) By polymer electrolyte membrane fuel cells or proton exchange membrane fuel cells that use
15 hydrogen fuel and oxygen from the air to produce electricity.

16 (C) Primarily by a zero-emission energy storage device that provides enough power for the ve-
17 hicle to travel 75 miles or more using only electricity and may or may not use a backup alternative
18 power unit that does not operate until the energy storage device is fully depleted.

19 (2) "Motor vehicle" has the meaning given that term in ORS 801.360.

20 (3) "Neighborhood electric vehicle" means a low-speed vehicle that:

21 (a) Is powered using an electric battery;

22 (b) Has a gross vehicle weight not exceeding 3,000 pounds; and

23 (c) Has at least four wheels.

24 (4) "Person" means a person as defined in ORS 174.100 or a public body as defined in ORS
25 174.109.

26 (5) "Plug-in hybrid electric vehicle" means a hybrid electric motor vehicle that:

27 (a) Has zero evaporative emissions from its fuel system;

28 (b) Has an onboard electrical energy storage device with useful capacity of 10 or more miles
29 of urban dynamometer driving schedule range, as described by the United States Environmental
30 Protection Agency, on electricity alone;

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) Is equipped with an onboard charger;
- 2 (d) Is rechargeable from an external connection to an off-board electrical source;
- 3 (e) Meets the super ultra-low emission vehicle standards for exhaust emissions, as defined by the
- 4 Environmental Quality Commission by rule;
- 5 (f) Has a warranty of at least 15 years and 150,000 miles on emission control components; and
- 6 (g) Is capable of attaining a speed of 55 miles per hour or more.
- 7 (6) "Qualifying vehicle" means a motor vehicle that:
- 8 (a) Is a:
- 9 (A) Light-duty zero-emission vehicle;
- 10 (B) Neighborhood electric vehicle;
- 11 (C) Plug-in hybrid electric vehicle; or
- 12 (D) Zero-emission motorcycle;
- 13 (b) Is new, or has been previously used only as a dealership floor model or test-drive vehicle;
- 14 (c) Has not previously been registered;
- 15 (d) Is constructed entirely from new parts that have never been the subject of a retail sale;
- 16 (e) Has a base manufacturer's suggested retail price of less than:
- 17 (A) \$50,000; or
- 18 (B) **If the motor vehicle is powered as described in subsection (1)(c)(B) of this section,**
- 19 **\$60,000;**
- 20 (f) Is covered by a manufacturer's express warranty on the vehicle drive train, including the
- 21 applicable energy storage system or battery pack, for at least 24 months from the date of purchase;
- 22 and
- 23 (g) Is certified by the manufacturer to comply with all applicable federal safety standards issued
- 24 by the National Highway Traffic Safety Administration for new motor vehicles and new motor ve-
- 25 hicle equipment.
- 26 (7)(a) "Vehicle dealer" means:
- 27 (A) A person engaged in business in this state that has been issued a vehicle dealer certificate
- 28 under ORS 822.020; and
- 29 (B) A person engaged in business in another state that would be subject to ORS 822.005 if the
- 30 person engaged in business in this state.
- 31 (b) Notwithstanding paragraph (a) of this subsection, a person is not a vehicle dealer for pur-
- 32 poses of sections 148 to 152, chapter 750, Oregon Laws 2017, to the extent the person:
- 33 (A) Conducts an event that lasts less than seven consecutive days, for which the public is
- 34 charged admission and at which otherwise qualifying vehicles are sold at auction; or
- 35 (B) Sells an otherwise qualifying vehicle at auction at an event described in this paragraph.
- 36 (8) "Zero-emission motorcycle" means a motorcycle that:
- 37 (a) Has zero evaporative emissions from its fuel system;
- 38 (b) Is capable of attaining a speed of 55 miles per hour or more;
- 39 (c) Is designed to travel on two wheels; and
- 40 (d) Is powered by electricity.

41 **SECTION 2. The amendments to section 148, chapter 750, Oregon Laws 2017, by section**
42 **1 of this 2021 Act apply to light-duty zero-emission vehicles purchased or leased on or after**
43 **the effective date of this 2021 Act.**

44 **SECTION 3. This 2021 Act takes effect on the 91st day after the date on which the 2021**
45 **regular session of the Eighty-first Legislative Assembly adjourns sine die.**

