

A-Engrossed
House Bill 2571

Ordered by the House March 31
Including House Amendments dated March 31

Sponsored by Representatives GRAYBER, GAMBA; Representatives ANDERSEN, PHAM K, WALTERS (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.

Directs Department of Environmental Quality to establish program for providing rebates to qualifying individuals who purchase electric assisted bicycles [*or cargo electric bicycles and qualifying equipment*].

Establishes Electric Bicycle Incentive Fund.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to electric bicycles; and prescribing an effective date.

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

4 **SECTION 1. Sections 2 and 3 of this 2023 Act are added to and made a part of ORS**
5 **chapter 468.**

6 **SECTION 2. (1) As used in this section:**

7 (a) **“Area median income” means the median income for the metropolitan statistical area**
8 **in which a household is located or, if the household is not located within a metropolitan**
9 **statistical area, for the metropolitan statistical area in closest proximity to the location of**
10 **the household, as determined by the Housing and Community Services Department, adjusted**
11 **for household size.**

12 (b) **“Qualifying electric bicycle” means an electric assisted bicycle, as defined in ORS**
13 **801.258, that has a minimum retail sales price of \$950.**

14 (c) **“Qualifying household” means a household with income less than or equal to 80 per-**
15 **cent of the area median income.**

16 (d) **“Qualifying retailer” means a retail business establishment approved by the adminis-**
17 **trator of the program established under this section.**

18 (2) **The Department of Environmental Quality shall establish a program for providing**
19 **rebates for the purchase of qualifying electric bicycles. The department may hire or contract**
20 **with a third-party organization to implement and serve as the administrator of the program**
21 **required by this section.**

22 (3) **Rebates under the program shall be made from moneys credited to or deposited in the**
23 **Electric Bicycle Incentive Fund established under section 3 of this 2023 Act.**

24 (4) **Rebates under the program shall be:**

25 (a) **\$400; or**

26 (b) **For individuals from qualifying households, \$1,200 or the purchase price of the quali-**

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 **fyng electric bicycle minus \$200, whichever is less.**

2 **(5)(a) To be eligible for a rebate, an individual must be an Oregon resident and at least**
3 **16 years of age.**

4 **(b) An individual may not receive more than one rebate under the program.**

5 **(6)(a) An individual may apply to the administrator of the program to receive a voucher**
6 **that demonstrates the individual's eligibility for a rebate under the program. A rebate ap-**
7 **plication must include the following information for the individual:**

8 **(A) Name;**

9 **(B) Age;**

10 **(C) Electronic mail address;**

11 **(D) Proof of Oregon residence; and**

12 **(E) If the individual is applying for the rebate as an individual from a qualifying house-**
13 **hold, proof of household income.**

14 **(b) In addition to the information required under paragraph (a) of this subsection, an**
15 **individual may be asked to voluntarily provide:**

16 **(A) Demographic information that includes the individual's:**

17 **(i) Race or ethnicity;**

18 **(ii) Gender;**

19 **(iii) Veteran status; or**

20 **(iv) Disability status.**

21 **(B) Information regarding the individual's anticipated use of the qualifying electric bicy-**
22 **cle.**

23 **(c) Upon approval of the rebate application, the program administrator shall issue a re-**
24 **bate voucher to the individual that includes a code or other identifier that is unique to the**
25 **individual.**

26 **(7) The program administrator may conduct annual surveys to determine how**
27 **individuals' actual use of qualifying electric bicycles compares to individuals' anticipated use**
28 **reported under subsection (6) of this section.**

29 **(8) The program administrator shall establish a web-based system that:**

30 **(a) Includes a searchable database that provides for each individual who has been ap-**
31 **proved for a rebate under the program:**

32 **(A) The individual's name and electronic mail address.**

33 **(B) The dates on which the individual's rebate application was made and was approved.**

34 **(C) The type and status of the rebate voucher the individual was approved for.**

35 **(D) Optional demographic information provided to the department, if any.**

36 **(b) A means for a qualifying retailers to:**

37 **(A) Access the database to verify the rebate amount an individual has been approved for;**
38 **and**

39 **(B) Submit a request for reimbursement after providing the rebate to an individual at the**
40 **time the individual purchases a qualifying electric bicycle.**

41 **(9) A retailer must be approved by the program administrator as a qualifying retailer**
42 **before participating in the rebate program. To be approved as a qualifying retailer, a retailer**
43 **must:**

44 **(a) Have one or more retail stores located in this state;**

45 **(b) Offer for sale and provide in-store repairs of qualifying electric bicycles; and**

1 (c) Allow an employee or representative of the program administrator to inspect the
2 retailer's retail store to confirm the retailer's eligibility.

3 (10)(a) To claim the rebate, an individual shall present the rebate voucher to a qualifying
4 retailer at the time of purchase of a qualifying electric bicycle.

5 (b) A qualifying retailer presented with a rebate voucher shall:

6 (A) Confirm the status and amount of the rebate using the searchable database estab-
7 lished by the program administrator;

8 (B) Confirm the identity of the rebate recipient; and

9 (C) Subtract the rebate amount from the purchase price of the qualifying electric bicycle.

10 (11) The Department of Environmental Quality shall reimburse a qualifying retailer that
11 provides a rebate to an individual no later than 60 days after the rebate is provided.

12 (12) The Environmental Quality Commission may adopt any rules necessary to carry out
13 the provisions of this section.

14 **SECTION 3.** (1) The Electric Bicycle Incentive Fund is established in the State Treasury,
15 separate and distinct from the General Fund. Interest earned by the Electric Bicycle Incen-
16 tive Fund shall be credited to the fund.

17 (2) Moneys in the Electric Bicycle Incentive Fund shall consist of:

18 (a) Amounts donated to the fund;

19 (b) Amounts appropriated or otherwise transferred to the fund by the Legislative As-
20 sembly;

21 (c) Other amounts deposited in the fund from any public or private source; and

22 (d) Interest earned by the fund.

23 (3) Moneys in the Electric Bicycle Incentive Fund are continuously appropriated to the
24 Department of Environmental Quality to be used to carry out the provisions of section 2 of
25 this 2023 Act.

26 (4) No more than 10 percent of the moneys deposited in the fund per biennium may be
27 expended to pay administrative expenses incurred in the administration of section 2 of this
28 2023 Act by:

29 (a) The department; and

30 (b) Any third-party organization that the department hires or contracts with under sec-
31 tion 2 of this 2023 Act.

32 **SECTION 4.** In addition to and not in lieu of any other appropriation, there is appropri-
33 ated to the Department of Environmental Quality, for the biennium beginning July 1, 2023,
34 out of the General Fund, the amount of \$6,000,000, for deposit in the Electric Bicycle Incen-
35 tive Fund established under section 3 of this 2023 Act, which must be expended as follows:

36 (1) \$2,000,000 for the provision of rebates to individuals from qualifying households under
37 section 2 of this 2023 Act.

38 (2) \$4,000,000 for the purpose of carrying out the provisions of section 2 of this 2023 Act.

39 **SECTION 5.** This 2023 Act takes effect on the 91st day after the date on which the 2023
40 regular session of the Eighty-second Legislative Assembly adjourns sine die.

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