

Enrolled House Bill 3550

Sponsored by JOINT COMMITTEE ON TRANSPORTATION (at the request of Oregon Department of Administrative Services)

CHAPTER

AN ACT

Relating to energy use standards for state agencies; amending ORS 276.212, 283.327 and 283.337.

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

SECTION 1. ORS 276.212 is amended to read:

276.212. (1) The Oregon Department of Administrative Services may, as [it] **the department** deems necessary, suitable or expedient, acquire, design, erect, complete, maintain and operate:

(a) Steam heating systems, power systems, machines, engines and equipment, with necessary transmission poles and lines, pipes or conduits for the purpose of generating and furnishing steam heat, electric energy, current, light, heat and power for the public buildings and grounds.

(b) Systems for the purpose of transmitting and receiving messages by radio, telephone, telegraph or other device or system in the transaction of business of the state or in which the state is interested.

(2) To the maximum extent that is economically feasible, the department shall in lieu of diesel use biofuel, or direct-application electricity generated from biofuel, in all facilities or machinery the department acquires, designs, erects, completes, maintains or operates as stationary or backup generation for the systems described in subsection (1) of this section.

[2)] (3) The department may do all things necessary for:

(a) The delivery of steam heat, electrical current, energy, light, heat and power to the public buildings and grounds.

(b) The transmitting and receiving of messages by radio, telephone, telegraph or other device or system in the transaction of business of the state or in which the state is interested.

SECTION 2. ORS 283.327 is amended to read:

283.327. [(1)(a) *Unless a state agency finds that it is not feasible for a zero-emission vehicle, as defined in ORS 283.398, to meet the specific use for which a vehicle will be purchased or leased, by 2025 the agency shall purchase or lease zero-emission vehicles for at least 25 percent of new state light-duty vehicle purchases and leases, to the extent zero-emission vehicles are available.*]

[(b) *If the agency finds that purchasing or leasing zero-emission vehicles is not feasible, the agency may purchase or lease light-duty vehicles that are capable of using alternative fuel and that meet the requirements established by the Comprehensive National Energy Policy Act of 1992 (P.L. 102-486).*]

[(c) *If the agency finds that purchasing or leasing zero-emission vehicles is not feasible and that purchasing or leasing light-duty vehicles that are capable of using alternative fuel and that meet the requirements established by the Comprehensive National Energy Policy Act of 1992 (P.L. 102-486) is not feasible, the agency may purchase or lease vehicles that the Oregon Department of Administrative*

Services, in consultation with the Department of Environmental Quality, has identified in written policy as low-emission vehicles.]

[(2) To the maximum extent feasible, state-owned motor vehicles shall be zero-emission vehicles or use alternative fuel for operation.]

[(3) Each agency owning motor vehicles shall comply with all safety standards established by the United States Department of Transportation in the conversion, operation and maintenance of vehicles using alternative fuel.]

[(4) To the maximum extent economically possible, state-owned structures shall use biofuel, or direct-application electricity generated from biofuel, where diesel is currently utilized for stationary or back-up generation.]

[(5) As used in this section:]

[(a) "Light-duty vehicle" includes passenger cars, sedans, station wagons, pickup trucks with a gross vehicle rating of 8,000 pounds or less, minivans equipped for passengers or cargo, sports utility vehicles, crossover utility vehicles and specialty vehicles similar to vehicles identified in this paragraph.]

[(b) "Light-duty vehicle" does not include police vehicles, fire vehicles, trucks to which a load-carrying device or container is not attached or trucks that are equipped with a dump, flatbed, tank, boom lift, crane or similar device.]

(1) As used in this section, "light-duty vehicle" means a vehicle with a gross vehicle weight rating of 8,500 pounds or less, such as a passenger car, sedan, station wagon, pickup truck, minivan equipped for passengers or cargo, sport utility vehicle, crossover vehicle or a similar specialty vehicle.

(2)(a) Except as provided in paragraph (b) of this subsection, on and after January 1, 2025, a state agency that purchases or leases a new light-duty vehicle shall purchase or lease only a zero-emission vehicle, as defined in ORS 283.398.

(b) If the state agency finds that a zero-emission vehicle is not feasible for the specific use the state agency has for a light-duty vehicle, the state agency may purchase or lease a light-duty vehicle that:

(A) Can operate with alternative fuel and that otherwise meets the requirements set forth in the Comprehensive National Energy Policy Act of 1992 (P.L. 102-486); or

(B) Qualifies as a low-emission vehicle under a written policy that the Oregon Department of Administrative Services adopts in consultation with the Department of Environmental Quality, if the state agency finds that a vehicle described in subparagraph (A) of this paragraph is not feasible for the specific use the state agency has for a light-duty vehicle.

(3) To the maximum extent feasible, light-duty vehicles that state agencies own or lease must be zero-emission vehicles.

(4) A state agency that owns or leases light-duty vehicles shall comply with all safety standards that the United States Department of Transportation establishes for the conversion, operation and maintenance of vehicles that use alternative fuels.

SECTION 3. ORS 283.327, as amended by section 4, chapter 565, Oregon Laws 2019, and section 7, chapter 107, Oregon Laws 2021, is amended to read:

283.327. [(1)(a) Unless a state agency finds that it is not feasible for a zero-emission vehicle, as defined in ORS 283.398, to meet the specific use for which a vehicle will be purchased or leased, the agency shall purchase or lease zero-emission vehicles for all new state light-duty vehicle purchases and leases.]

[(b) If the agency finds that purchasing or leasing zero-emission vehicles is not feasible, the agency may purchase or lease light-duty vehicles that are capable of using alternative fuel and that meet the requirements established by the Comprehensive National Energy Policy Act of 1992 (P.L. 102-486).]

[(c) If the agency finds that purchasing or leasing zero-emission vehicles is not feasible and that purchasing or leasing light-duty vehicles that are capable of using alternative fuel and that meet the requirements established by the Comprehensive National Energy Policy Act of 1992 (P.L. 102-486) is not feasible, the agency may purchase or lease vehicles that the Oregon Department of Administrative

Services, in consultation with the Department of Environmental Quality, has identified in written policy as low-emission vehicles.]

[(2) To the maximum extent feasible, state-owned motor vehicles shall be zero-emission vehicles.]

[(3) Each agency owning motor vehicles shall comply with all safety standards established by the United States Department of Transportation in the conversion, operation and maintenance of vehicles using alternative fuel.]

[(4) To the maximum extent economically possible, state-owned structures shall use biofuel, or direct-application electricity generated from biofuel, where diesel is currently utilized for stationary or back-up generation.]

[(5) As used in this section:]

[(a) "Light-duty vehicle" includes passenger cars, sedans, station wagons, pickup trucks with a gross vehicle rating of 8,000 pounds or less, minivans equipped for passengers or cargo, sports utility vehicles, crossover utility vehicles and specialty vehicles similar to vehicles identified in this paragraph.]

[(b) "Light-duty vehicle" does not include police vehicles, fire vehicles, trucks to which a load-carrying device or container is not attached or trucks that are equipped with a dump, flatbed, tank, boom lift, crane or similar device.]

(1) As used in this section, "light-duty vehicle" means a vehicle with a gross vehicle weight rating of 8,500 pounds or less, such as a passenger car, sedan, station wagon, pickup truck, minivan equipped for passengers or cargo, sport utility vehicle, crossover vehicle or a similar specialty vehicle.

(2)(a) Except as provided in paragraph (b) of this subsection, on and after January 1, 2025, a state agency that purchases or leases a new light-duty vehicle shall purchase or lease only a zero-emission vehicle, as defined in ORS 283.398.

(b) If the state agency finds that a zero-emission vehicle is not feasible for the specific use the state agency has for a light-duty vehicle, the state agency may purchase or lease a light-duty vehicle that:

(A) Can operate with alternative fuel and that otherwise meets the requirements set forth in the Comprehensive National Energy Policy Act of 1992 (P.L. 102-486); or

(B) Qualifies as a low-emission vehicle under a written policy that the Oregon Department of Administrative Services adopts in consultation with the Department of Environmental Quality, if the state agency finds that a vehicle described in subparagraph (A) of this paragraph is not feasible for the specific use the state agency has for a light-duty vehicle.

(3) To the maximum extent feasible, light-duty vehicles that state agencies own or lease must be zero-emission vehicles.

(4) A state agency that owns or leases light-duty vehicles shall comply with all safety standards that the United States Department of Transportation establishes for the conversion, operation and maintenance of vehicles that use alternative fuels.

SECTION 4. ORS 283.337 is amended to read:

283.337. (1) Prior to December 31 of each year, each agency owning motor vehicles shall submit an annual report to the Department of Environmental Quality and the State Department of Energy. The report shall contain at a minimum:

(a) The number of vehicles acquired that are capable of using alternative fuel;

(b) The number of vehicles converted from the use of gasoline to the use of alternative fuel;

(c) The amount of each type of alternative fuel used in the vehicles;

(d) The number of zero-emission vehicles, as defined in ORS 283.398, acquired;

(e) The amount of electricity used in the zero-emission vehicles; and

(f) Any other information required by the Department of Environmental Quality and the State Department of Energy.

(2) In the report, an agency that purchases or leases a vehicle that is not a zero-emission vehicle shall explain the reason for the purchase of an alternative fuel, hybrid or low-emission vehicle and demonstrate that purchasing or leasing a zero-emission vehicle was not feasible. To assess the fea-

sibility of a zero-emission vehicle under this subsection, an agency may not consider any incremental cost of a zero-emission vehicle over a comparable vehicle.

[(3) For purposes of the report, plug-in hybrid electric vehicles are not vehicles that are capable of using alternative fuel.]

Passed by House May 22, 2023

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Timothy G. Sekerak, Chief Clerk of House

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Dan Rayfield, Speaker of House

Passed by Senate June 23, 2023

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Rob Wagner, President of Senate

Received by Governor:

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Approved:

.....M,....., 2023

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M,....., 2023

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Secretary of State