

Senate Bill 125

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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**.

Directs Department of Transportation to establish grant program for fuel cell electric vehicle and hydrogen fueling demonstration projects. Appropriates moneys from General Fund to department for grant program.

Requires department to study existing state statutes, regulations, rules and policies that may impede or hinder wide-scale adoption and use of fuel cell electric vehicles and hydrogen fueling. Directs department to submit findings and recommendations to interim committees of Legislative Assembly related to energy and economic development not later than September 15, 2024.

A BILL FOR AN ACT

1
2 Relating to hydrogen.

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

4 **SECTION 1. (1) As used in this section, "fuel cell electric vehicle" mean a fully electric**
5 **vehicle that generates its own electricity by combining oxygen from the air with hydrogen**
6 **from an onboard storage tank, emitting only water vapor and heat from the vehicle.**

7 **(2) The Department of Transportation shall establish a program to award grants to public**
8 **and private entities for projects that demonstrate the potential for wide-scale adoption and**
9 **use of fuel cell electric vehicles and hydrogen fueling in the state's transportation sector.**

10 **(3)(a) A grant awarded under this section may be used to plan and develop a project that**
11 **demonstrates, with regard to hydrogen fuel:**

12 **(A) Production;**

13 **(B) Delivery;**

14 **(C) Storage;**

15 **(D) Use of public or private fueling stations and dispensing to end-users;**

16 **(E) Utilization by a fleet of fuel cell electric vehicles, such as at a port or warehouse or**
17 **by a public transportation system or commercial vehicles; or**

18 **(F) Utilization by individual or privately owned vehicles.**

19 **(b) The department shall give priority when awarding grants to demonstration projects**
20 **that reflect all stages of the hydrogen fuel market from production to end use.**

21 **(4)(a) The department shall adopt rules to administer the grant program and establish:**

22 **(A) Grant application procedures and criteria for grant approval; and**

23 **(B) Procedures for revocation of grants to recipients failing to comply with the criteria**
24 **established by the department pursuant to this section.**

25 **(b) At a minimum the rules must provide for the Director of Transportation to:**

26 **(A) Convene an advisory committee to evaluate applications and recommend grant**
27 **awards under this section;**

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 (B) After reviewing the recommendation from the advisory committee, approve or deny
2 an application for a grant and set the amount of the grant awarded to the grant recipient;

3 (C) Monitor grant recipients for compliance with grant criteria established by the de-
4 partment pursuant to this section; and

5 (D) Evaluate the efficacy of completed demonstration projects.

6 **SECTION 2.** (1) As used in this section, “fuel cell electric vehicle” mean a fully electric
7 vehicle that generates its own electricity by combining oxygen from the air with hydrogen
8 from an onboard storage tank, emitting only water vapor and heat from the vehicle.

9 (2) The Department of Transportation shall conduct a study of existing state statutes,
10 regulations, rules and policies that may impede or hinder the wide-scale adoption and use
11 of fuel cell electric vehicles and hydrogen fueling in this state.

12 (3) The study shall include, but is not limited to, the following evaluations:

13 (a) The use of hydrogen fuel for transportation in this state, assuming no restrictions for
14 transportation through tunnels or bridges or by ferry;

15 (b) The process for permitting and siting hydrogen fueling infrastructure, including hy-
16 drogen fueling stations;

17 (c) The permitting process to convert existing vehicle maintenance structures, such as
18 vehicle repair shops, to be able to maintain or repair fuel cell electric vehicles;

19 (d) Existing length and weight restrictions for medium and heavy-duty vehicles and me-
20 dium and heavy-duty fuel cell electric vehicles; and

21 (e) Existing statutory definitions of zero-emission vehicles, alternative fuel vehicles and
22 electric vehicles, and whether existing statutory definitions cover fuel cell electric vehicles.

23 (4) The department shall provide recommendations on the wide-scale adoption and use
24 of hydrogen fuel for transportation in this state and for changes to existing state statutes,
25 regulations, rule and policies that may enable or support the use of fuel cell electric vehicles
26 and hydrogen fueling.

27 (5) The department shall provide the findings and recommendations of the study in a
28 report that may include recommendations for legislation, in the manner provided in ORS
29 192.245, to the interim committees of the Legislative Assembly related to energy and eco-
30 nomic development no later than September 15, 2024.

31 **SECTION 3.** Section 2 of this 2023 Act is repealed on January 2, 2025.

32 **SECTION 4.** In addition to and not in lieu of any other appropriation, there is appropri-
33 ated to the Department of Transportation, for the biennium beginning July 1, 2023, out of the
34 General Fund, the amount of \$25,000,000, for the fuel cell electric vehicle and hydrogen fuel-
35 ing demonstration projects grant program established pursuant to section 1 of this 2023 Act.

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