

# SENATE BILL 137

R2  
SB 423/20 – EHE & B&T

(PRE-FILED)

11r0593  
CF HB 334

By: **Senator Zucker**

Requested: September 15, 2020

Introduced and read first time: January 13, 2021

Assigned to: Education, Health, and Environmental Affairs and Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 19, 2021

## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Maryland Transit Administration – Conversion to Zero-Emission Buses**  
3 **(Zero-Emission Bus Transition Act)**

4 FOR the purpose of prohibiting, beginning in a certain fiscal year, the Maryland Transit  
5 Administration from entering into a contract to purchase buses for the  
6 Administration's State transit bus fleet that are not zero-emission buses, subject to  
7 a certain exception; authorizing the Administration to purchase alternative-fuel  
8 buses under certain circumstances; requiring the full cost of certain zero-emission  
9 and alternative-fuel buses to be paid from the Transportation Trust Fund; requiring  
10 the Administration to ensure the development of certain charging infrastructure;  
11 requiring the Administration, on or before a certain date and each year thereafter,  
12 to submit a report to certain committees of the General Assembly on the  
13 implementation of this Act; requiring the annual report to include a schedule for  
14 converting the State transit bus fleet to zero-emission buses ~~exclusively~~, an  
15 evaluation of the necessary charging infrastructure, a plan for transitioning  
16 adversely affected State employees to certain similar or other employment, a certain  
17 estimate of the potential reduction in emissions, and certain financial analyses  
18 related to the projected costs of the conversion to zero-emission buses; providing for  
19 the application of this Act; defining certain terms; and generally relating to  
20 converting the Maryland Transit Administration's fleet of State transit buses to  
21 zero-emission buses exclusively.

22 BY adding to  
23 Article – Transportation

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 7-406  
 2 Annotated Code of Maryland  
 3 (2020 Replacement Volume)

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
 5 That the Laws of Maryland read as follows:

6 **Article – Transportation**

7 **7-406.**

8 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
 9 INDICATED.

10 (2) “ALTERNATIVE-FUEL BUS” MEANS A MOTOR VEHICLE THAT:

11 (I) IS DESIGNED TO CARRY MORE THAN 10 PASSENGERS AND IS  
 12 USED TO CARRY PASSENGERS FOR COMPENSATION;

13 (II) IS NOT POWERED BY DIESEL OR GASOLINE;

14 (III) PROVIDES GREENHOUSE GAS EMISSIONS REDUCTIONS IN  
 15 COMPARISON TO AN EQUIVALENT DIESEL-POWERED VEHICLE; AND

16 (IV) IS NOT A TAXICAB.

17 ~~(2)~~ (3) “BUS” HAS THE MEANING STATED IN § 11-105 OF THIS  
 18 ARTICLE.

19 ~~(3)~~ (4) “ZERO-EMISSION BUS” MEANS A MOTOR VEHICLE THAT IS:

20 (I) ~~1.~~ DESIGNED TO CARRY MORE THAN 10 PASSENGERS  
 21 AND IS USED TO CARRY PASSENGERS FOR COMPENSATION; ~~OR~~

22 ~~2. DESIGNED AND USED TO CARRY PASSENGERS FOR~~  
 23 ~~COMPENSATION;~~

24 (II) A ZERO-EMISSION VEHICLE; AND

25 (III) NOT A TAXICAB.

26 ~~(4)~~ (5) “ZERO-EMISSION VEHICLE” MEANS:

27 (I) A FUEL CELL ELECTRIC VEHICLE THAT:

- 1                   1.    **IS A MOTOR VEHICLE;**
- 2                   2.    **IS MADE BY A MANUFACTURER;**
- 3                   3.    **IS MANUFACTURED PRIMARILY FOR USE ON PUBLIC**  
4 **STREETS, ROADS, AND HIGHWAYS;**
- 5                   4.    **HAS A MAXIMUM SPEED CAPABILITY OF AT LEAST 55**  
6 **MILES PER HOUR;**
- 7                   5.    **IS POWERED ENTIRELY BY ELECTRICITY, PRODUCED**  
8 **BY COMBINING HYDROGEN AND OXYGEN, THAT RUNS THE MOTOR;**
- 9                   6.    **HAS AN OPERATING RANGE OF AT LEAST 100 MILES;**  
10 **AND**
- 11                  7.    **PRODUCES ONLY WATER VAPOR AND HEAT AS**  
12 **BY-PRODUCTS; OR**

13                   **(II) A PLUG-IN ELECTRIC DRIVE VEHICLE THAT:**

- 14                  1.    **IS A MOTOR VEHICLE;**
- 15                  2.    **IS MADE BY A MANUFACTURER;**
- 16                  3.    **HAS A MAXIMUM SPEED CAPABILITY OF AT LEAST 55**  
17 **MILES PER HOUR; AND**
- 18                  4.    **IS PROPELLED ~~TO A SIGNIFICANT EXTENT~~ BY AN**  
19 **ELECTRIC MOTOR THAT DRAWS ELECTRICITY FROM A BATTERY THAT:**
  - 20                  A.    **HAS A CAPACITY OF NOT LESS THAN 4**  
21 **KILOWATT-HOURS; AND**
  - 22                  B.    **IS CAPABLE OF BEING RECHARGED FROM AN**  
23 **EXTERNAL SOURCE OF ELECTRICITY.**

24                  **(B) (1) THIS SECTION APPLIES TO THE ADMINISTRATION'S STATE**  
25 **TRANSIT BUS FLEET.**

26                  **(2) THIS SECTION DOES NOT APPLY TO A BUS THAT IS PART OF A**  
27 **LOCALLY OPERATED TRANSIT SYSTEM.**

28                  **(C) (1) ~~BEGINNING~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**  
29 **SUBSECTION, BEGINNING IN FISCAL YEAR 2023, THE ADMINISTRATION MAY NOT**

1 ENTER INTO A CONTRACT TO PURCHASE BUSES FOR THE ADMINISTRATION'S STATE  
2 TRANSIT BUS FLEET THAT ARE NOT ZERO-EMISSION BUSES.

3 (2) IF THE ADMINISTRATION DETERMINES THAT NO AVAILABLE  
4 ZERO-EMISSION BUS MEETS THE PERFORMANCE REQUIREMENTS FOR A  
5 PARTICULAR USE, THE ADMINISTRATION MAY PURCHASE AN ALTERNATIVE-FUEL  
6 BUS FOR THAT USE.

7 (3) THE FULL COST OF ZERO-EMISSION AND ALTERNATIVE-FUEL  
8 BUSES PURCHASED UNDER THIS SUBSECTION SHALL BE PAID FROM THE  
9 TRANSPORTATION TRUST FUND.

10 (D) THE ADMINISTRATION SHALL ENSURE THE DEVELOPMENT OF  
11 CHARGING INFRASTRUCTURE TO SUPPORT THE OPERATION OF ZERO-EMISSION  
12 BUSES IN THE STATE TRANSIT BUS FLEET.

13 ~~(D)~~ (E) (1) ON OR BEFORE JANUARY 1, 2022, AND EACH JANUARY 1  
14 THEREAFTER, THE ADMINISTRATION SHALL, IN ACCORDANCE WITH § 2-1257 OF  
15 THE STATE GOVERNMENT ARTICLE, SUBMIT A REPORT TO THE SENATE BUDGET  
16 AND TAXATION COMMITTEE, THE SENATE EDUCATION, HEALTH, AND  
17 ENVIRONMENTAL AFFAIRS COMMITTEE, THE HOUSE APPROPRIATIONS  
18 COMMITTEE, AND THE HOUSE ENVIRONMENT AND TRANSPORTATION COMMITTEE  
19 ON THE IMPLEMENTATION OF THIS SECTION.

20 (2) THE ANNUAL REPORT SHALL INCLUDE:

21 (I) A SCHEDULE FOR CONVERTING THE ADMINISTRATION'S  
22 STATE TRANSIT BUS FLEET TO ZERO-EMISSION BUSES ~~EXCLUSIVELY~~;

23 (II) AN EVALUATION OF THE CHARGING INFRASTRUCTURE  
24 NEEDED FOR THE ADMINISTRATION TO CREATE AND MAINTAIN A STATE TRANSIT  
25 BUS FLEET OF ZERO-EMISSION BUSES ~~EXCLUSIVELY~~;

26 (III) A PLAN FOR TRANSITIONING ANY STATE EMPLOYEES  
27 ADVERSELY AFFECTED BY THE CONVERSION FROM A DIESEL-POWERED STATE  
28 TRANSIT BUS FLEET TO A ZERO-EMISSION STATE TRANSIT BUS FLEET TO SIMILAR  
29 OR OTHER EMPLOYMENT WITHIN THE ADMINISTRATION OR DEPARTMENT THAT  
30 HAS COMMENSURATE SENIORITY, PAY, AND BENEFITS;

31 (IV) IN COORDINATION WITH OTHER APPROPRIATE STATE  
32 AGENCIES, AN ESTIMATE OF THE REDUCTION IN THE AMOUNT OF CARBON DIOXIDE  
33 EMISSIONS, MEASURED IN POUNDS, THAT WILL BE OBTAINED THROUGH THE USE OF  
34 ZERO-EMISSION BUSES EACH YEAR UNTIL THE STATE TRANSIT BUS FLEET IS  
35 CONVERTED TO ZERO-EMISSION BUSES ~~EXCLUSIVELY~~; AND

1 (v) A FINANCIAL ANALYSIS:

2 1. OF THE PROJECTED COST OF PURCHASING,  
3 MAINTAINING, AND PROVIDING CHARGING INFRASTRUCTURE FOR THE  
4 ZERO-EMISSION STATE TRANSIT BUS FLEET EACH YEAR UNTIL THE FLEET IS  
5 CONVERTED TO ZERO-EMISSION BUSES ~~EXCLUSIVELY~~; AND

6 2. COMPARING THE PROJECTED COST UNDER ITEM 1 OF  
7 THIS ITEM TO THE PROJECTED COST OF CONTINUING TO OPERATE A  
8 DIESEL-POWERED STATE TRANSIT BUS FLEET.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 2021.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.