AMENDMENTS TO HOUSE BILL 1391
(First Reading File Bill)

AMENDMENT NO. 1
On page 1, in the sponsor line, strike “Delegate Fraser–Hidalgo” and substitute “Delegates Fraser–Hidalgo, Amprey, Barve, Boyce, Foley, Healey, Holmes, Jalisi, Love, Otto, Prettyman, Ruth, Stein, Stewart, Terrasa, and Wells”; in line 3, after “of” insert “establishing the Medium–Duty and Heavy–Duty Zero–Emission Vehicle Grant Program to be administered by the Maryland Energy Administration;”; in the same line, strike “extending and”; after line 10, insert:

“BY adding to
Article – State Government
Section 9–2010
Annotated Code of Maryland
(2021 Replacement Volume)”;

and in line 13, after “Section” insert “11–103.4 and”.

AMENDMENT NO. 2
On page 1, after line 17, insert:

“Article – State Government

9–2010.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.”
(2) “Grant” means a medium-duty or heavy-duty zero-emission vehicle grant issued by the administration under this section for up to 20% of the cost of a qualified medium-duty or heavy-duty zero-emission vehicle, qualified medium-duty or heavy-duty zero-emission vehicle supply equipment, or zero-emission heavy equipment property.

(3) “Program” means the medium-duty and heavy-duty zero-emission vehicle grant program.

(4) “Qualified medium-duty or heavy-duty zero-emission vehicle” means a motor vehicle that is:

   (I) rated at more than 8,500 pounds unloaded gross weight; and

   (II) powered by electricity that is stored in a battery or produced by a hydrogen fuel cell.

(5) “Qualified medium-duty or heavy-duty zero-emission vehicle supply equipment” means property in the state that is used for recharging or refueling medium-duty or heavy-duty zero-emission vehicles or zero-emission heavy equipment.

(6) “Zero-emission heavy equipment property” means construction, earthmoving, or industrial heavy equipment, including any attachment for the equipment, that:

   1. is mobile; and
2. DOES NOT USE AN INTERNAL COMBUSTION ENGINE.

   (II) “ZERO–EMISSION HEAVY EQUIPMENT PROPERTY” INCLUDES:

   1. A SELF–PROPELLED VEHICLE THAT IS NOT DESIGNED TO BE DRIVEN ON A HIGHWAY; AND

   2. INDUSTRIAL ELECTRICAL GENERATION EQUIPMENT, INDUSTRIAL LIFT EQUIPMENT, INDUSTRIAL MATERIAL HANDLING EQUIPMENT, OR OTHER SIMILAR INDUSTRIAL EQUIPMENT.

   (B) (1) THERE IS A MEDIUM–DUTY AND HEAVY–DUTY ZERO–EMISSION VEHICLE GRANT PROGRAM.

      (2) THE ADMINISTRATION SHALL ADMINISTER THE PROGRAM.

   (C) (1) FOR EACH OF FISCAL YEARS 2024 THROUGH 2026, A PERSON OR A UNIT OF LOCAL GOVERNMENT MAY APPLY TO THE ADMINISTRATION FOR A GRANT UNDER THE PROGRAM.

      (2) FOR THE PURPOSE OF CALCULATING THE AMOUNT OF A GRANT, THE ADMINISTRATION MAY ALLOW AN APPLICANT TO INCLUDE REASONABLE INSTALLATION COSTS IN THE COST OF QUALIFIED MEDIUM–DUTY OR HEAVY–DUTY ZERO–EMISSION VEHICLE SUPPLY EQUIPMENT.
(D) **Program grants are subject to available funding and § 9–20B–05(J)(4) of this title.**

(E) (1) **Notwithstanding § 9–20B–05(G) of this title, in each of fiscal years 2024 through 2027, the Governor shall include in the annual budget bill an appropriation of at least $1,000,000 from the Strategic Energy Investment Fund for qualified medium–duty or heavy–duty zero–emission vehicles under the Program.**

(2) **Notwithstanding § 9–20B–05(G) of this title, in each of fiscal years 2024 through 2027, the Governor shall include in the annual budget bill an appropriation of at least $750,000 from the Strategic Energy Investment Fund for heavy equipment property under the Program.**

after line 18, insert:

“11–103.4.

“Autocycle” means a motor vehicle that:

(1) Has two front wheels and one rear wheel;

(2) Has a steering [wheel] MECHANISM;

(3) Has permanent seats on which the operator or a passenger is not required to sit astride;

(4) Has foot pedals to control [acceleration,] AT LEAST ONE OF THE FOLLOWING:
(I) **ACCELERATION; [braking.]**

(II) **BRAKING; [and, if] OR**

(III) IF applicable, a clutch; and

(5) Is manufactured to comply with federal safety standards for motorcycles.”;

in line 20, after “(a)” insert “(1)”; in the same line, after “section” insert “THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “AUTOCYCLE” HAS THE MEANING STATED IN § 11–103.4 OF THIS ARTICLE.

(3) “EXCISE TAX” MEANS “THE TAX IMPOSED UNDER § 13–809 OF THIS SUBTITLE”;

strike beginning with the comma in line 20 down through “subtitle” in line 21; after line 21, insert:

“(4) (I) “ZERO–EMISSION HEAVY EQUIPMENT PROPERTY” MEANS CONSTRUCTION, EARTHMOVING, OR INDUSTRIAL EQUIPMENT, INCLUDING ANY ATTACHMENT FOR THE HEAVY EQUIPMENT, THAT:

1. **IS MOBILE; AND**

2. **DOES NOT USE AN INTERNAL COMBUSTION ENGINE.**

(Over)
(II) “ZERO–EMISSION HEAVY EQUIPMENT PROPERTY” INCLUDES:

1. A SELF–PROPELLED VEHICLE THAT IS NOT DESIGNED TO BE DRIVEN ON A HIGHWAY; AND

2. INDUSTRIAL ELECTRICAL GENERATION EQUIPMENT, INDUSTRIAL LIFT EQUIPMENT, INDUSTRIAL MATERIAL HANDLING EQUIPMENT, OR OTHER SIMILAR INDUSTRIAL EQUIPMENT.

(5) “ZERO–EMISSION PLUG–IN ELECTRIC DRIVE VEHICLE” MEANS A MOTOR VEHICLE THAT:

(I) IS MADE BY A MANUFACTURER;

(II) HAS A MAXIMUM SPEED CAPABILITY OF AT LEAST 55 MILES PER HOUR; AND

(III) IS PROPELLED BY AN ELECTRIC MOTOR THAT DRAWS ELECTRICITY FROM A BATTERY THAT:

1. HAS A CAPACITY OF NOT LESS THAN 4 KILOWATT–HOURS; AND

2. IS CAPABLE OF BEING RECHARGED FROM AN EXTERNAL SOURCE OF ELECTRICITY.”;

and in line 23, after “A” insert “ZERO–EMISSION”.
On page 2, in line 3, strike “$55,000” and substitute “$50,000”; in lines 6 and 13, in each instance, strike “2020” and substitute “2023”; in line 6, strike “2025” and substitute “2027”; in the same line, strike “and”; in line 11, strike “$55,000” and substitute “$50,000”; in line 13, strike “2025” and substitute “2027; AND

(3) **ZERO–EMISSION HEAVY EQUIPMENT PROPERTY THAT IS:**

(i) **PURCHASED OR LEASED BUT DOES NOT NEED TO BE TITLED:**

(ii) **ACQUIRED FOR USE OR LEASE AND IS NOT FOR RESALE;**

AND

(iii) **PURCHASED NEW FOR THE FIRST TIME ON OR AFTER JULY 1, 2023, BUT BEFORE JULY 1, 2027;**

in line 15, after “a” insert “**ZERO–EMISSION**”; in the same line, strike “or” and substitute a comma; in the same line, after “electric vehicle” insert “**OR ZERO–EMISSION HEAVY EQUIPMENT PROPERTY**”; in line 19, after “**PLUG–IN**” insert “**ELECTRIC DRIVE VEHICLE**”; strike beginning with “$1,500” in line 21 down through “(3)” in line 23; in line 26, after “**MOTORCYCLE**” insert “**OR AUTOCYCLE**”; and in the same line, after “**PURCHASED**” insert “; OR

(3) **$5,000 FOR EACH ZERO–EMISSION HEAVY EQUIPMENT PROPERTY THAT IS PURCHASED OR LEASED**.

On page 3, after line 9, insert:

“(H) **FOR EACH OF FISCAL YEARS 2024 THROUGH 2029, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL STATE BUDGET AN APPROPRIATION OF**

(Over)
$8,250,000 TO PROVIDE EXCISE TAX CREDITS FOR ZERO–EMISSION PLUG–IN ELECTRIC DRIVE VEHICLES, FUEL CELL ELECTRIC VEHICLES, AND ZERO–EMISSION HEAVY EQUIPMENT PROPERTY UNDER THIS SECTION.”;

in line 12, strike “2023 through 2025” and substitute “2024 through 2027”; in line 16, after “qualified” insert “zero–emission”; in line 17, strike “and two– and” and substitute “two–wheeled zero–emission electric motorcycles.”; in the same line, after “motorcycles” insert “or autocycles, and zero–emission heavy equipment property”; in line 18, after “Article” insert “and § 9–2010 of the State Government Article”; in line 22, strike “fiscal year” and substitute “of fiscal years 2024 through 2027”; and in lines 27 and 29, in each instance, strike “2020” and substitute “2023”.