

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED                                           (Y/N)  
ADOPTED AS AMENDED                           (Y/N)  
ADOPTED W/O OBJECTION                       (Y/N)  
FAILED TO ADOPT                               (Y/N)  
WITHDRAWN                                      (Y/N)  
OTHER                                           

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1 Committee/Subcommittee hearing bill: Business & Professions  
2 Subcommittee  
3 Representative Ray offered the following:  
4

**Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 377.811, Florida Statutes, is created  
8 to read:

9 377.811.--Heavy transportation industry natural gas rebate  
10 program.--

11 (1) CREATION AND PURPOSE OF PROGRAM.--There is created  
12 within the Department of Agriculture and Consumer Services a  
13 heavy transportation industry natural gas rebate program. The  
14 purpose of this program is to help reduce transportation costs  
15 in this state, encourage the use of a domestic fuel source, and  
16 encourage heavy transportation industry investments that  
17 contribute to the economic growth of the state.

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18 (2) DEFINITIONS.—For purposes of this section, the term:

19 (a) "Conversion costs" means the costs associated with  
20 retrofitting a diesel, gasoline, or heavy fuel oil powered  
21 locomotive, waterborne ship, or other high horsepower engine to  
22 a natural gas fuel powered eligible vehicle.

23 (b) "Department" means the Department of Agriculture and  
24 Consumer Services.

25 (c) "Eligible costs" means the conversion costs or the  
26 incremental costs incurred by an applicant in connection with an  
27 investment in the conversion, purchase, or lease lasting at  
28 least 10 years, of a natural gas fuel powered eligible vehicle.  
29 The term does not include costs for project development, fueling  
30 stations, or other fueling infrastructure.

31 (d) "High horsepower engine" means any engine that  
32 provides over 500 horsepower and is used for non-highway  
33 transportation purposes.

34 (e) "Incremental costs" means the excess costs associated  
35 with the purchase or lease of a natural gas fuel powered  
36 eligible vehicle as compared to an equivalent diesel, gasoline,  
37 or heavy fuel oil powered eligible vehicle.

38 (f) "Natural gas fuel" means any liquefied petroleum gas  
39 product, compressed natural gas product, or combination thereof  
40 used in an eligible vehicle. This term includes, but is not  
41 limited to, all forms of fuel commonly or commercially known or  
42 sold as natural gasoline, butane gas, propane gas, or any other  
43 form of liquefied petroleum gas, compressed natural gas, or

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44 liquefied natural gas. The term does not include natural gas or  
45 liquefied petroleum placed in a separate tank for cooking,  
46 heating, water heating, or electric generation.

47 (g) "Eligible vehicle" means one or more locomotives,  
48 waterborne ships, or other high horsepower engine used for  
49 transportation purposes registered in this state or with another  
50 applicable state or federal regulatory body and used for  
51 commercial business or governmental purposes. Eligible vehicles  
52 must be newly constructed or repowered, and placed into service  
53 on or after July 1, 2015. Waterborne ships must be built and  
54 documented in the United States with a coastwise endorsement  
55 under 46 USC Sec 55102 [Jones Act], and used to provide regular  
56 transportation of merchandise between one or more ports in  
57 Florida and other domestic ports.

58 (3) HEAVY TRANSPORTATION INDUSTRY NATURAL GAS REBATE.—The  
59 department shall award rebates for eligible costs as defined in  
60 this section. A rebate may not exceed 50 percent of the eligible  
61 costs of a natural gas eligible vehicle with a dedicated or bi-  
62 fuel natural gas fuel operating system placed into service on or  
63 after July 1, 2015. An applicant is eligible to receive a  
64 maximum rebate of \$500,000 per eligible vehicle up to a total of  
65 \$1,000,000 per fiscal year. All eligible vehicles must comply  
66 with applicable United States Environmental Protection Agency  
67 emission standards.

68 (4) APPLICATION PROCESS.—

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69       (a) An applicant seeking to obtain a rebate shall submit  
70 an application to the department by a specified date each year  
71 as established by department rule. The application shall require  
72 a complete description of all eligible costs, proof of purchase  
73 or lease of the eligible vehicle for which the applicant is  
74 seeking a rebate, a copy of the vehicle registration certificate  
75 or equivalent documentation, a description of the total rebate  
76 sought by the applicant, and any other information deemed  
77 necessary by the department. The application form adopted by  
78 department rule must include an affidavit from the applicant  
79 certifying that all information contained in the application is  
80 true and correct.

81       (b) The department shall determine the rebate eligibility  
82 of each applicant in accordance with the requirements of this  
83 section and department rule. The total amount of rebates  
84 allocated to certified applicants in each fiscal year may not  
85 exceed the amount appropriated for the program in the fiscal  
86 year. Rebates shall be allocated to eligible applicants on a  
87 first-come, first-served basis, determined by the date and time  
88 the application is received, until all appropriated funds for  
89 the fiscal year are expended or the program ends, whichever  
90 comes first. Incomplete applications submitted to the department  
91 will not be accepted and do not secure a place in the first-  
92 come, first-served application process.

93       (5) RULES.—The department may adopt rules to implement and  
94 administer this section by December 31, 2015, including rules

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95 relating to the forms required to claim a rebate under this  
96 section, the required documentation and basis for establishing  
97 eligibility for a rebate, procedures and guidelines for claiming  
98 a rebate, and the collection of economic impact data from  
99 applicants.

100 (6) PUBLICATION.—The department shall determine and  
101 publish on its website on an ongoing basis the amount of  
102 available funding for rebates remaining in each fiscal year.

103 (7) ANNUAL ASSESSMENT.—By December 1, 2016, and each year  
104 thereafter that the program is funded, the department shall  
105 provide an annual assessment of the use of the rebate program  
106 during the previous fiscal year to the Governor, the President  
107 of the Senate, the Speaker of the House of Representatives, and  
108 the Office of Program Policy Analysis and Government  
109 Accountability. The assessment shall include, at a minimum, the  
110 following information:

111 (a) The name of each applicant awarded a rebate under this  
112 section;

113 (b) The amount of the rebates awarded to each applicant;

114 (c) The type and description of each eligible vehicle for  
115 which each applicant applied for a rebate; and

116 (d) The aggregate amount of funding awarded for all  
117 applicants claiming rebates under this section.

118 (8) Beginning in the 2015-2016 fiscal year and each year  
119 thereafter through the 2019-2020 fiscal year, the sum of \$10  
120 million in recurring funds is appropriated in each fiscal year

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121 from the General Revenue Fund to the Department of Agriculture  
122 and Consumer Services for the purpose of funding the heavy  
123 transportation industry natural gas rebate program created by  
124 this act.

125 Section 2. This act shall take effect July 1, 2015.

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128 **T I T L E A M E N D M E N T**

129 Remove everything before the enacting clause and insert:

130 A bill to be entitled

131 An act relating to a natural gas rebate program; creating s.  
132 377.811, F.S.; creating the heavy transportation industry  
133 natural gas rebate program within the Department of Agriculture  
134 and Consumer Services; providing definitions; prescribing powers  
135 and duties of the department with respect to the program;  
136 prescribing limits on rebate awards; providing policies and  
137 procedures for application approval; authorizing the department  
138 to adopt rules by a specified date; requiring the department to  
139 publish on its website the availability of rebate funds;  
140 requiring the department to submit an annual assessment to the  
141 Governor, the Legislature, and the Office of Program Policy  
142 Analysis and Government Accountability by a specified date;  
143 providing an appropriation; providing an effective date.