

1 A bill to be entitled
 2 An act relating to a natural gas rebate program;
 3 creating s. 377.811, F.S.; creating the heavy
 4 transportation industry natural gas rebate program
 5 within the Department of Agriculture and Consumer
 6 Services; defining terms; providing powers and duties
 7 of the department with respect to the program;
 8 providing rebate eligibility requirements; providing
 9 limits on rebate awards; providing for an application
 10 process; requiring the department to adopt rules;
 11 requiring the department to publish on its website the
 12 availability of rebate funds; requiring the department
 13 to submit an annual assessment to the Governor, the
 14 Legislature, and the Office of Program Policy Analysis
 15 and Government Accountability by a specified date;
 16 providing an appropriation; providing an effective
 17 date.

18
 19 Be It Enacted by the Legislature of the State of Florida:

20
 21 Section 1. Section 377.811, Florida Statutes, is created
 22 to read:

23 377.811 Heavy transportation industry natural gas rebate
 24 program.—

25 (1) CREATION AND PURPOSE OF PROGRAM.—There is created
 26 within the Department of Agriculture and Consumer Services a

27 heavy transportation industry natural gas rebate program. The
28 purpose of the program is to help reduce transportation costs in
29 the state, encourage the use of a domestic fuel source, and
30 encourage heavy transportation industry investments that
31 contribute to the economic growth of the state.

32 (2) DEFINITIONS.—As used in this section, the term:

33 (a) "Conversion costs" means the costs associated with
34 retrofitting a diesel-powered, gasoline-powered, or heavy-fuel-
35 oil-powered locomotive, waterborne ship, or high-horsepower
36 engine to a natural-gas-fuel-powered eligible vehicle or vessel.

37 (b) "Department" means the Department of Agriculture and
38 Consumer Services.

39 (c) "Eligible costs" means the conversion costs or the
40 incremental costs incurred by an applicant in connection with an
41 investment in the conversion of, purchase of, or lease lasting
42 at least 10 years of, a natural-gas-fuel-powered eligible
43 vehicle or vessel. The term does not include costs for project
44 development, fueling stations, or other fueling infrastructure.

45 (d) "Eligible vehicle or vessel" means a locomotive,
46 waterborne ship, or high-horsepower engine used for
47 transportation purposes, registered or licensed in the state,
48 and used for commercial business or governmental purposes within
49 the state. An eligible vehicle must be newly constructed or
50 repowered and placed into service on or after July 1, 2015. A
51 waterborne ship must be built and documented in the United
52 States with a coastwise endorsement under 46 U.S.C. s. 55102 and

53 be used to provide regular transportation of merchandise between
54 one or more ports in the state and other domestic ports.

55 (e) "High-horsepower engine" means an engine that provides
56 more than 1,000 horsepower and is used for nonhighway
57 transportation purposes.

58 (f) "Incremental costs" means the excess costs associated
59 with the purchase or lease of a natural-gas-fuel-powered
60 eligible vehicle or vessel as compared to an equivalent diesel-
61 powered, gasoline-powered, or heavy-fuel-oil-powered eligible
62 vehicle or vessel.

63 (g) "Natural gas fuel" means any liquefied petroleum gas
64 product, compressed natural gas product, or combination thereof
65 used in an eligible vehicle or vessel. The term includes, but is
66 not limited to, all forms of fuel commonly or commercially known
67 or sold as natural gasoline, butane gas, propane gas, or any
68 other form of liquefied petroleum gas, compressed natural gas,
69 or liquefied natural gas. The term does not include natural gas
70 or liquefied petroleum placed in a separate tank for cooking,
71 heating, water heating, or electric generation.

72 (3) HEAVY TRANSPORTATION INDUSTRY NATURAL GAS REBATE.—The
73 department shall award rebates for eligible costs. A rebate may
74 not exceed 50 percent of the eligible costs of a natural gas
75 eligible vehicle or vessel with a dedicated or bi-fuel natural
76 gas fuel operating system placed into service on or after July
77 1, 2015. An applicant is eligible to receive a maximum rebate of
78 \$500,000 per eligible vehicle or vessel up to a total of \$1

79 million per fiscal year. All eligible vehicles or vessels must
80 comply with applicable United States Environmental Protection
81 Agency emission standards.

82 (4) APPLICATION PROCESS.—

83 (a) An applicant seeking to obtain a rebate shall submit
84 an application to the department by a specified date each year
85 as established by department rule. The application shall require
86 a complete description of all eligible costs, proof of purchase
87 or lease of the eligible vehicle or vessel for which the
88 applicant is seeking a rebate, a copy of the vehicle or vessel
89 registration certificate or equivalent documentation, a
90 description of the total rebate sought by the applicant, and any
91 other information deemed necessary by the department. The
92 application form adopted by department rule must include an
93 affidavit from the applicant certifying that all information
94 contained in the application is true and correct.

95 (b) The department shall determine the rebate eligibility
96 of each applicant in accordance with the requirements of this
97 section and department rule. The total amount of rebates
98 allocated to certified applicants in each fiscal year may not
99 exceed the amount appropriated for the program in the fiscal
100 year. Rebates shall be allocated to eligible applicants on a
101 first-come, first-served basis, determined by the date and time
102 when the application is received, until all appropriated funds
103 for the fiscal year are expended or the program ends, whichever
104 occurs first. Incomplete applications submitted to the

105 department may not be accepted and do not secure a place in the
106 first-come, first-served application process.

107 (5) RULES.—The department shall adopt rules to implement
108 and administer this section, including rules relating to the
109 forms required to claim a rebate under this section, the
110 required documentation and basis for establishing eligibility
111 for a rebate, procedures and guidelines for claiming a rebate,
112 and the collection of economic impact data from applicants.

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

116 (7) ANNUAL ASSESSMENT.—By December 1, 2016, and each year
117 thereafter that the program is funded, the department shall
118 provide an annual assessment of the use of the rebate program
119 during the previous fiscal year to the Governor, the President
120 of the Senate, the Speaker of the House of Representatives, and
121 the Office of Program Policy Analysis and Government
122 Accountability. The assessment must include, at a minimum, the
123 following information:

124 (a) The name of each applicant awarded a rebate under this
125 section;

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

127 (c) The type and description of each eligible vehicle or
128 vessel for which each applicant applied for a rebate; and

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

CS/CS/CS/HB 1141

2015

131 Section 2. Notwithstanding s. 216.301, Florida Statutes,
132 the unobligated balance of funds in the General Revenue Fund
133 appropriated to the Department of Agriculture and Consumer
134 Services for the natural gas fuel fleet vehicle rebate program
135 shall not revert on June 30 each fiscal year and is appropriated
136 to the Department of Agriculture and Consumer Services for the
137 subsequent fiscal year to implement the heavy transportation
138 industry natural gas rebate program under s. 377.811, Florida
139 Statutes.

140 Section 3. This act shall take effect July 1, 2015.