

By Senator Simpson

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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; prescribing powers and
7 duties of the department with respect to the program;
8 providing rebate eligibility requirements; providing
9 limits on rebate awards; specifying policies and
10 procedures for the application process; requiring the
11 department to adopt rules by a specified date;
12 requiring the department to publish on its website the
13 availability of rebate funds; requiring the department
14 to submit an annual assessment to the Governor, the
15 Legislature, and the Office of Program Policy Analysis
16 and Government Accountability by a specified date;
17 requiring the office to submit a report to the
18 Governor and the Legislature by a specified date;
19 providing reporting requirements; providing an
20 effective date.

21
22 Be It Enacted by the Legislature of the State of Florida:

23
24 Section 1. Section 377.811, Florida Statutes, is created to
25 read:

26 377.811 Heavy transportation industry natural gas rebate
27 program.-

28 (1) CREATION AND PURPOSE OF PROGRAM.-A heavy transportation
29 industry natural gas rebate program is created within the

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30 department for the purpose of helping to reduce transportation
31 costs in this state and encouraging freight mobility investments
32 that contribute to the economic growth of the state.

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

34 (a) "Conversion costs" means the excess cost associated
35 with retrofitting a diesel or gasoline powered locomotive or
36 ship to a natural gas fuel powered motor vehicle.

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

39 (c) "Eligible costs" means the cost of conversion or the
40 incremental cost incurred by an applicant in connection with an
41 investment in the conversion, purchase, or lease lasting at
42 least 5 years, of a locomotive or ship placed into service on or
43 after January 1, 2015. The term does not include costs for
44 project development, fueling stations, or other fueling
45 infrastructure.

46 (d) "Fleet vehicles" means three or more locomotives or
47 ships registered in this state and used for commercial business
48 or governmental purposes.

49 (e) "Incremental costs" means the excess costs associated
50 with the purchase or lease of a natural gas fuel powered
51 locomotive or ship as compared to an equivalent diesel- or
52 gasoline-powered locomotive or ship.

53 (f) "Natural gas fuel" means any liquefied petroleum gas
54 product, compressed natural gas product, or combination thereof
55 used in a motor vehicle as defined in s. 206.01(23). This term
56 includes, but is not limited to, all forms of fuel commonly or
57 commercially known or sold as natural gasoline, butane gas,
58 propane gas, or any other form of liquefied petroleum gas,

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59 compressed natural gas, or liquefied natural gas. This term does
60 not include natural gas or liquefied petroleum placed in a
61 separate tank of a motor vehicle for cooking, heating, water
62 heating, or electric generation.

63 (3) HEAVY TRANSPORTATION INDUSTRY NATURAL GAS REBATE.—The
64 department shall award rebates for eligible costs. A rebate may
65 not exceed 50 percent of the eligible costs of a natural gas
66 locomotive or ship with a dedicated or bi-fuel natural gas fuel
67 operating system placed into service on or after January 1,
68 2015. An applicant is eligible to receive a maximum rebate of
69 \$500,000 per vehicle up to a total of \$1,000,000 per fiscal
70 year. All fuel powered natural gas locomotives and ships
71 eligible for the rebate must comply with applicable United
72 States Environmental Protection Agency emission standards.

73 (4) APPLICATION PROCESS.—

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

85 (b) The department shall determine the rebate eligibility
86 of each applicant in accordance with the requirements of this
87 section and department rule. The total amount of rebates

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88 allocated to certified applicants in each fiscal year may not
89 exceed the amount appropriated for the program in the fiscal
90 year. Rebates shall be allocated to eligible applicants on a
91 first-come, first-served basis, determined by the date the
92 application is received, until all appropriated funds for the
93 fiscal year are expended or the program ends, whichever comes
94 first. Incomplete applications submitted to the department will
95 not be accepted and do not secure a place in the first-come,
96 first-served application process.

97 (5) RULES.—The department shall adopt rules to implement
98 and administer this section by January 1, 2016, including rules
99 relating to the forms required to claim a rebate under this
100 section, the required documentation and basis for establishing
101 eligibility for a rebate, procedures and guidelines for claiming
102 a rebate, and the collection of economic impact data from
103 applicants.

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

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

115 (a) The name of each applicant awarded a rebate under this
116 section;

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117 (b) The amount of the rebates awarded to each applicant;
118 (c) The type and description of each eligible locomotive or
119 ship for which each applicant applied for a rebate; and
120 (d) The aggregate amount of funding awarded for all
121 applicants claiming rebates under this section.

122 (8) REPORT.—By January 31, 2017, the Office of Program
123 Policy Analysis and Government Accountability shall release a
124 report reviewing the rebate program to the Governor, the
125 President of the Senate, and the Speaker of the House of
126 Representatives. The review shall include an analysis of the
127 economic benefits resulting to the state from the program.

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