



180202

LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
03/24/2015	.	
	.	
	.	
	.	

The Committee on Communications, Energy, and Public Utilities (Bradley) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Subsection (3) of section 377.810, Florida Statutes, is amended to read:

377.810 Natural gas fuel fleet vehicle rebate program.—

(3) NATURAL GAS FUEL FLEET VEHICLE REBATE.—The department shall award rebates for eligible costs as defined in this section. Forty percent of the annual allocation shall be



180202

11 reserved for governmental applicants, with the remaining funds
12 allocated for commercial applicants. A rebate may not exceed 50
13 percent of the eligible costs of a natural gas fuel fleet
14 vehicle with a dedicated or bi-fuel natural gas fuel operating
15 system placed into service on or after July 1, 2013. An
16 applicant is eligible to receive a maximum rebate of \$25,000 per
17 vehicle up to a total of \$250,000 per fiscal year. Any
18 unencumbered funds remaining after May 1 of each fiscal year may
19 be used by the department to award an additional rebate of up to
20 \$250,000 for a governmental applicant. Any unencumbered funds
21 remaining after June 1 of each fiscal year may be used by the
22 department to award an additional or new rebate of up to
23 \$250,000 for a governmental or commercial applicant. All natural
24 gas fuel fleet vehicles eligible for the rebate must comply with
25 applicable United States Environmental Protection Agency
26 emission standards.

27 Section 2. Section 377.811, Florida Statutes, is created to
28 read:

29 377.811 Heavy transportation industry natural gas rebate
30 program.—

31 (1) CREATION AND PURPOSE OF PROGRAM.—There is created
32 within the Department of Agriculture and Consumer Services a
33 heavy transportation industry natural gas rebate program. The
34 purpose of this program is to help reduce transportation costs
35 in this state, encourage the use of a domestic fuel source, and
36 encourage heavy transportation industry investments that
37 contribute to the economic growth of the state.

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

39 (a) "Conversion costs" means the costs associated with



180202

40 retrofitting a diesel-, gasoline-, or heavy fuel oil- powered
41 locomotive, waterborne ship, or other high horsepower engine to
42 a natural gas powered eligible vehicle.

43 (b) "Department" means the Department of Agriculture and
44 Consumer Services.

45 (c) "Eligible costs" means the conversion costs or the
46 incremental costs incurred by an applicant in connection with an
47 investment in the conversion, purchase, or lease lasting at
48 least 10 years of a natural gas-powered eligible vehicle. The
49 term does not include costs for project development, fueling
50 stations, or other fueling infrastructure.

51 (d) "Eligible vehicle" means one or more locomotives,
52 waterborne ships, or other high horsepower engines used for
53 transportation purposes registered or licensed in this state and
54 used for commercial business or governmental purposes. Eligible
55 vehicles must be newly constructed or repowered and placed into
56 service on or after July 1, 2015. Waterborne ships must be built
57 and documented in the United States with a coastwise endorsement
58 under the Jones Act, 46 U.S.C. s. 55102, and used to provide
59 regular transportation of merchandise between one or more ports
60 in this state and other domestic ports. If the eligible vehicle
61 is registered with a federal regulatory body, the owner must
62 certify in writing that the eligible vehicle will be used the
63 majority of the time in this state or a waterborne ship that
64 uses a port in this state in its rotation, subject to department
65 review.

66 (e) "High horsepower engine" means any engine that provides
67 more than 1,000 horsepower and is used for nonhighway
68 transportation purposes.



180202

69 (f) "Incremental costs" means the excess costs associated
70 with the purchase or lease of a natural gas-powered eligible
71 vehicle as compared to an equivalent diesel-, gasoline-, or
72 heavy fuel oil- powered eligible vehicle.

73 (g) "Natural gas fuel" means any liquefied petroleum gas
74 product, compressed natural gas product, or combination thereof
75 used in an eligible vehicle. This term includes, but is not
76 limited to, all forms of fuel commonly or commercially known or
77 sold as natural gasoline, butane gas, propane gas, or any other
78 form of liquefied petroleum gas, compressed natural gas, or
79 liquefied natural gas. The term does not include natural gas or
80 liquefied petroleum placed in a separate tank for cooking,
81 heating, water heating, or electric generation.

82 (3) HEAVY TRANSPORTATION INDUSTRY NATURAL GAS REBATE.—The
83 department shall award rebates for eligible costs. A rebate may
84 not exceed 50 percent of the eligible costs of a natural gas
85 eligible vehicle with a dedicated or bi-fuel natural gas fuel
86 operating system placed into service on or after July 1, 2015.
87 An applicant is eligible to receive a maximum rebate of \$500,000
88 per eligible vehicle up to a total of \$1 million per fiscal
89 year. All eligible vehicles must comply with applicable United
90 States Environmental Protection Agency emission standards.

91 (4) APPLICATION PROCESS.—

92 (a) An applicant seeking to obtain a rebate shall submit an
93 application to the department by a specified date each year as
94 established by department rule. The application must require a
95 complete description of all eligible costs, proof of purchase or
96 lease of the eligible vehicle for which the applicant is seeking
97 a rebate, a copy of the vehicle registration certificate or



180202

98 equivalent documentation, a description of the total rebate
99 sought by the applicant, and any other information deemed
100 necessary by the department. The application form adopted by
101 department rule must include an affidavit from the applicant
102 certifying that all information contained in the application is
103 true and correct.

104 (b) The department shall determine the rebate eligibility
105 of each applicant in accordance with the requirements of this
106 section and department rule. The total amount of rebates
107 allocated to certified applicants in each fiscal year may not
108 exceed the amount appropriated for the program in a fiscal year.
109 Rebates shall be allocated to eligible applicants on a first-
110 come, first-served basis, determined by the date and time the
111 application is received, until all appropriated funds for the
112 fiscal year are expended or the program ends, whichever comes
113 first. Incomplete applications submitted to the department may
114 not be accepted and do not secure a place in the first-come,
115 first-served application process.

116 (5) RULES.—The department may adopt rules to implement and
117 administer this section by December 31, 2015, including rules
118 relating to the forms required to claim a rebate under this
119 section, the required documentation and basis for establishing
120 eligibility for a rebate, procedures and guidelines for claiming
121 a rebate, and the collection of economic impact data from
122 applicants.

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

126 (7) ANNUAL ASSESSMENT.—By December 1, 2016, and each year



180202

127 thereafter that the program is funded, the department shall
128 provide an annual assessment of the use of the rebate program
129 during the previous fiscal year to the Governor, the President
130 of the Senate, the Speaker of the House of Representatives, and
131 the Office of Program Policy Analysis and Government
132 Accountability. The assessment shall include, at a minimum, the
133 following information:

134 (a) The name of each applicant awarded a rebate under this
135 section;

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

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

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

141 (8) APPROPRIATION.—Beginning in the 2015-2016 fiscal year
142 and each year thereafter through the 2019-2020 fiscal year, the
143 General Appropriations Act may provide a specific appropriation
144 in each fiscal year from the General Revenue Fund to the
145 Department of Agriculture and Consumer Services for the purpose
146 of funding the heavy transportation industry natural gas rebate
147 program.

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

149
150 ===== T I T L E A M E N D M E N T =====

151 And the title is amended as follows:

152 Delete everything before the enacting clause
153 and insert:

154 A bill to be entitled

155 An act relating to a natural gas rebate program;



180202

156 amending s. 377.810, F.S.; authorizing the Department
157 of Agriculture and Consumer Services to award
158 additional rebates for certain applicants using
159 unencumbered funds; creating s. 377.811, F.S.;
160 creating the heavy transportation industry natural gas
161 rebate program within the department; defining terms;
162 prescribing powers and duties of the department with
163 respect to the program; prescribing limits on rebate
164 awards; providing policies and procedures for
165 application approval; authorizing the department to
166 adopt rules by a specified date; requiring the
167 department to publish on its website the availability
168 of rebate funds; requiring the department to submit an
169 annual assessment to the Governor, the Legislature,
170 and the Office of Program Policy Analysis and
171 Government Accountability by a specified date;
172 authorizing an appropriation; providing an effective
173 date.