

107TH CONGRESS
1ST SESSION

H. R. 2518

To establish a pilot program within the Department of Energy to facilitate the use of alternative fuel school buses through grants for energy demonstration and commercial application of energy technology, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 17, 2001

Mr. BOEHLERT (for himself and Mr. UDALL of Colorado) introduced the following bill; which was referred to the Committee on Science, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish a pilot program within the Department of Energy to facilitate the use of alternative fuel school buses through grants for energy demonstration and commercial application of energy technology, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Clean Green School
5 Bus Act of 2001”.

1 **SEC. 2. ESTABLISHMENT OF PILOT PROGRAM.**

2 (a) ESTABLISHMENT.—The Secretary of Energy (in
3 this Act referred to as the “Secretary”) shall establish a
4 pilot program for awarding grants on a competitive basis
5 to eligible entities for facilitating the use of alternative fuel
6 school buses through school bus replacement and fleet ex-
7 pansion programs under this section.

8 (b) REQUIREMENTS.—Not later than 3 months after
9 the date of the enactment of this Act, the Secretary shall
10 establish and publish in the Federal Register grant re-
11 quirements on eligibility for assistance, and on manage-
12 ment, transfer, and ultimate disposition of buses, includ-
13 ing certification requirements to ensure compliance with
14 this Act.

15 (c) SOLICITATION.—Not later than 6 months after
16 the date of the enactment of this Act, the Secretary shall
17 solicit proposals for grants under this section.

18 (d) ELIGIBLE RECIPIENTS.—A grant shall be award-
19 ed under this section only—

20 (1) to a local governmental entity responsible
21 for providing school bus service for one or more pub-
22 lic school systems; or

23 (2) jointly to an entity described in paragraph
24 (1) and a contracting entity that provides school bus
25 service to the public school system or systems.

26 (e) TYPES OF GRANTS.—

1 (1) IN GENERAL.—Grants under this section
2 may be for the purposes described in paragraph (2),
3 paragraph (3), or both.

4 (2) REPLACEMENT BUS GRANTS.—A grant
5 under this section may be used for the acquisition of
6 replacement buses pursuant to subsection (f).

7 (3) FLEET EXPANSION BUS GRANTS.—A grant
8 under this section may be used for the acquisition of
9 not more than 10 buses to expand a fleet of school
10 buses in an area with a high proportion of low-in-
11 come families.

12 (f) REPLACEMENT BUS GRANTS.—

13 (1) REPLACEMENT.—For each bus acquired
14 under a replacement bus grant, one older model year
15 bus shall be retired from active service and crushed
16 as provided in paragraph (2).

17 (2) BUS ACQUISITION.—Buses acquired under a
18 replacement bus grant shall be acquired in the fol-
19 lowing order:

20 (A) First, new buses will replace buses
21 manufactured before model year 1977, and the
22 older buses replaced shall be crushed.

23 (B) If all buses manufactured before model
24 year 1977 owned or operated by the grant re-
25 cipient have been replaced, additional new buses

1 will replace diesel-powered buses manufactured
2 before model year 1991, which shall either—

3 (i) be crushed; or

4 (ii) be exchanged by the grant recipi-
5 ent for buses manufactured before model
6 year 1977 from another bus fleet, with
7 that bus then being crushed.

8 Exchanges made under subparagraph (B)(ii) shall
9 be made without profit or other economic benefit to
10 the grant recipient.

11 (3) PRIORITY OF GRANT APPLICATIONS.—The
12 Secretary shall give priority to awarding grants to
13 applicants emphasizing the replacement of buses
14 manufactured before model year 1977.

15 (g) CONDITIONS OF GRANT.—A grant provided under
16 this section shall include the following conditions:

17 (1) All buses acquired with funds provided
18 under the grant shall be operated as part of the
19 school bus fleet for which the grant was made for a
20 minimum of 5 years.

21 (2) Funds provided under the grant may only
22 be used—

23 (A) to pay the cost, except as provided in
24 paragraph (3), of new alternative fuel school

1 buses, including State taxes and contract fees;
2 and

3 (B) to provide—

4 (i) up to 10 percent of the price of the
5 alternative fuel buses acquired, for nec-
6 essary alternative fuel infrastructure if the
7 infrastructure will only be available to the
8 grant recipient; and

9 (ii) up to 15 percent of the price of
10 the alternative fuel buses acquired, for nec-
11 essary alternative fuel infrastructure if the
12 infrastructure will be available to the grant
13 recipient and to other bus fleets.

14 (3) The grant recipient shall be required to
15 provide—

16 (A) in the case of a replacement bus ac-
17 quired as described in subsection (f)(2)(A) to
18 replace a bus manufactured before model year
19 1977, 10 percent of the total cost of the bus,
20 but not more than \$10,000;

21 (B) in the case of a replacement bus ac-
22 quired as described in subsection (f)(2)(B)(ii)
23 to replace a diesel-powered bus manufactured
24 before model year 1991 for exchange for a bus
25 manufactured before model year 1977, 10 per-

1 cent of the total cost of the bus, but not more
2 than \$10,000; and

3 (C) in the case of a replacement bus ac-
4 quired as described in subsection (f)(2)(B)(i) to
5 replace a diesel-powered bus manufactured be-
6 fore model year 1991, 25 percent of the total
7 cost of the bus, but not more than \$25,000.

8 (h) BUSES.—Funding under a grant made under this
9 section may be used to acquire only new school buses—

10 (1) with a gross vehicle weight of greater than
11 14,000 pounds;

12 (2) that are powered by a heavy duty engine;

13 (3) that emit not more than—

14 (A) for buses manufactured in model years
15 2001 and 2002, 2.5 grams per brake horse-
16 power-hour of nonmethane hydrocarbons and
17 oxides of nitrogen and .01 grams per brake
18 horsepower-hour of particulate matter; and

19 (B) for buses manufactured in model years
20 2003 through 2006, 1.8 grams per brake horse-
21 power-hour of nonmethane hydrocarbons and
22 oxides of nitrogen and .01 grams per brake
23 horsepower-hour of particulate matter; and

24 (4) that are powered substantially by electricity
25 (including electricity supplied by a fuel cell), or by

1 liquefied natural gas, compressed natural gas, lique-
2 fied petroleum gas, hydrogen, propane, or methanol
3 or ethanol at no less than 85 percent by volume.

4 (i) DEPLOYMENT AND DISTRIBUTION.—The Sec-
5 retary shall seek to the maximum extent practicable to
6 achieve nationwide deployment of alternative fuel school
7 buses through the program under this section, and shall
8 ensure a broad geographic distribution of grant awards,
9 with a goal of no State receiving more than 10 percent
10 of the grant funding made available under this section for
11 a fiscal year.

12 **SEC. 3. FUEL CELL BUS DEVELOPMENT AND DEMONSTRATION PROGRAM.**
13

14 (a) ESTABLISHMENT OF PROGRAM.—The Secretary
15 shall establish a program for entering into cooperative
16 agreements with private sector fuel cell bus developers for
17 the development of fuel cell-powered school buses, and
18 subsequently with not less than 2 units of local govern-
19 ment using natural gas-powered school buses and such
20 private sector fuel cell bus developers to demonstrate the
21 use of fuel cell-powered school buses.

22 (b) COST SHARING.—The non-Federal contribution
23 for activities funded under this section shall be not less
24 than—

1 (1) 20 percent for fuel infrastructure develop-
2 ment activities; and

3 (2) 50 percent for demonstration activities and
4 for development activities not described in paragraph
5 (1).

6 (c) FUNDING.—No more than \$25,000,000 of the
7 amounts authorized under section 4 may be used for car-
8 rying out this section for the period encompassing fiscal
9 years 2002 through 2006.

10 (d) REPORTS TO CONGRESS.—Not later than 3 years
11 after the date of the enactment of this Act, and not later
12 than October 1, 2006, the Secretary shall transmit to the
13 Congress a report that—

14 (1) evaluates the process of converting natural
15 gas infrastructure to accommodate fuel cell-powered
16 school buses; and

17 (2) assesses the results of the development and
18 demonstration program under this section.

19 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

20 There are authorized to be appropriated to the Sec-
21 retary for carrying out this Act—

22 (1) \$40,000,000 for fiscal year 2002;

23 (2) \$50,000,000 for fiscal year 2003;

24 (3) \$60,000,000 for fiscal year 2004;

25 (4) \$70,000,000 for fiscal year 2005; and

1 (5) \$80,000,000 for fiscal year 2006.

○