

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 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
 25 to read:

26 377.811 Heavy transportation industry natural gas rebate

27 program.

28 (1) CREATION AND PURPOSE OF PROGRAM.—A heavy
29 transportation industry natural gas rebate program is created
30 within the department for the purpose of helping to reduce
31 transportation costs in this state and encouraging freight
32 mobility investments that contribute to the economic growth of
33 the state.

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

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

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

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

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

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

53 locomotive or ship.

54 (f) "Natural gas fuel" means any liquefied petroleum gas
 55 product, compressed natural gas product, or combination thereof
 56 used in a motor vehicle as defined in s. 206.01(23). This term
 57 includes, but is not limited to, all forms of fuel commonly or
 58 commercially known or sold as natural gasoline, butane gas,
 59 propane gas, or any other form of liquefied petroleum gas,
 60 compressed natural gas, or liquefied natural gas. This term does
 61 not include natural gas or liquefied petroleum placed in a
 62 separate tank of a motor vehicle for cooking, heating, water
 63 heating, or electric generation.

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

74 (4) APPLICATION PROCESS.—

75 (a) An applicant seeking to obtain a rebate shall submit
 76 an application to the department by a specified date each year
 77 as established by department rule. The application shall require
 78 a complete description of all eligible costs, proof of purchase

79 or lease of the locomotive or ship for which the applicant is
80 seeking a rebate, a copy of the vehicle registration
81 certificate, a description of the total rebate sought by the
82 applicant, and any other information deemed necessary by the
83 department. The application form adopted by department rule must
84 include an affidavit from the applicant certifying that all
85 information contained in the application is true and correct.

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

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

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

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

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

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

119 (c) The type and description of each eligible locomotive
 120 or ship for which each applicant applied for a rebate; and

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

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

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