

Senator moves to amend the delete-everything amendment (SCS5284A-3) to S.F. No. 5284 as follows:

Page 74, delete section 78 and insert:

"Sec. 74. [174.249] ZERO-EMISSION TRANSIT BUSES.

Subdivision 1. **Definition.** For purposes of this section, "zero-emission transit bus" has the meaning given in section 473.3927, subdivision 1a.

Subd. 2. **Bus procurement exemptions.** (a) The commissioner must establish a process to issue a procurement exemption from the requirements under sections 473.388, subdivision 9, and 473.3927, subdivision 4. An exemption may (1) extend the commencement date for the respective zero-emission transit bus procurement requirements, or (2) provide for a zero-emission transit bus procurement percentage or phase-in schedule.

(b) An entity that seeks an exemption must submit an application, in the form and manner specified by the commissioner, that includes:

(1) a justification for the exemption;

(2) a review of activities related to zero-emission transit bus transition planning;

(3) demonstration of efforts to procure zero-emission transit buses and associated infrastructure;

(4) a proposed timeline for full compliance, which must include annual procurement targets and associated milestones; and

(5) information required by the commissioner.

(c) The commissioner may only issue a procurement exemption following a determination that:

(1) the applicant has made good faith effort to follow the guidance and recommendations of the transition plan under section 473.3927; and

(2) full compliance with procurement requirements is not feasible within the specified time period due to:

(i) technology, infrastructure, utility interconnection, funding, or bus availability constraints;

(ii) a resulting material impact on service reliability or on other means of reducing greenhouse gas emissions under the transit provider's purview, including transit service expansion; or

2.1 (iii) other specified and documented constraints.

2.2 (d) The commissioner must deny an application for procurement exemption following
2.3 a determination that the applicant made inadequate efforts to meet the relevant procurement
2.4 requirements.

2.5 **EFFECTIVE DATE.** This section is effective the day following final enactment."

2.6 Page 95, delete sections 109 and 110 and insert:

2.7 "Sec. 109. Minnesota Statutes 2022, section 473.388, is amended by adding a subdivision
2.8 to read:

2.9 Subd. 9. **Bus procurement.** (a) For purposes of this subdivision:

2.10 (1) "qualified transit bus" has the meaning given in section 473.3927, subdivision 1a;

2.11 (2) "special transportation service" has the meaning given in section 174.29, subdivision
2.12 1; and

2.13 (3) "zero-emission transit bus" has the meaning given in section 473.3927, subdivision
2.14 1a.

2.15 (b) Beginning on January 1, 2030, at least 50 percent of the qualified transit buses
2.16 annually purchased for regular route transit service or special transportation service by a
2.17 recipient of financial assistance under this section must be a zero-emission transit bus.

2.18 (c) Beginning on January 1, 2035, any qualified transit bus purchased for regular route
2.19 transit service or special transportation service by a recipient of financial assistance under
2.20 this section must be a zero-emission transit bus.

2.21 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.22 Sec. 110. Minnesota Statutes 2022, section 473.3927, is amended to read:

2.23 **473.3927 ZERO-EMISSION AND ELECTRIC TRANSIT VEHICLES.**

2.24 Subdivision 1. **Transition plan required.** (a) The council must develop and maintain
2.25 a zero-emission and electric transit vehicle transition plan.

2.26 (b) The council must ~~complete the initial~~ revise the plan by February 15, ~~2022~~ 2025,
2.27 and revise the plan at least once every ~~five~~ three years following each prior revision.

2.28 Subd. 1a. **Definitions.** (a) For purposes of this section, the following terms have the
2.29 meanings given.

(b) "Greenhouse gas emissions" includes those emissions described in section 216H.01, subdivision 2.

(c) "Qualified transit bus" means a motor vehicle that meets the requirements under paragraph (d), clauses (1) and (2).

(d) "Zero-emission transit bus" means a motor vehicle that:

(1) is designed for public transit service;

(2) has a capacity of more than 15 passengers including the driver; and

(3) produces no exhaust-based greenhouse gas emissions from the onboard source of motive power of the vehicle under all operating conditions.

Subd. 2. **Plan development.** At a minimum, the plan must:

(1) establish ~~implementation~~ policies and, guidance, and recommendations to implement the transition to a transit service fleet of exclusively zero-emission and electric transit vehicles, including for recipients of financial assistance under section 473.388;

(2) align with the requirements under subdivision 4 and section 473.388, subdivision 9;

(3) consider methods for transit providers to maximize greenhouse gas reduction in addition to zero-emission transit bus procurement, including but not limited to service expansion, reliability improvements, and other transit service improvements;

(4) analyze greenhouse gas emission reduction from transit improvements identified under clause (3) in comparison to zero-emission transit bus procurement;

(5) set transition milestones or performance measures, or both, which may include vehicle procurement goals over the transition period;

~~(3)~~ (6) identify barriers, constraints, and risks, and determine objectives and strategies to address the issues identified;

~~(4)~~ (7) consider findings and best practices from other transit agencies;

~~(5)~~ (8) analyze zero-emission and electric transit vehicle technology impacts, including cold weather operation and emerging technologies;

(9) prioritize deployment of zero-emission transit buses based on the extent to which service is provided to environmental justice areas, as defined in section 116.065, subdivision 1;

~~(6)~~ (10) consider opportunities to prioritize the deployment of zero-emissions vehicles in areas with poor air quality;

(11) consider opportunities to prioritize deployment of zero-emissions transit buses along arterial and highway bus rapid transit routes, including methods to maximize cost effectiveness with bus rapid transit construction projects;

~~(7)~~ (12) provide detailed estimates of implementation costs to implement the plan and meet the requirements under subdivision 4 and section 473.388, subdivision 9, which to the extent feasible must include a forecast of annual expenditures, identification of potential sources of funding, and a summary of any anticipated or planned activity to seek additional funds; and

~~(8)~~ (13) examine capacity, constraints, and potential investments in the electric transmission and distribution grid, in consultation with appropriate public utilities;

(14) identify methods to coordinate necessary facility upgrades in a manner that maximizes cost effectiveness and overall system reliability;

(15) examine workforce impacts under the transition plan, including but not limited to changes in staffing complement; personnel skill gaps and needs; and employee training, retraining, or role transitions; and

(16) summarize updates to the plan from the most recent version.

Subd. 3. **Copy to legislature.** Upon completion or revision of the plan, the council must provide a copy to the chairs, ranking minority members, and staff of the legislative committees with jurisdiction over transportation policy and finance.

Subd. 4. **Bus procurement.** (a) Beginning on January 1, 2030, at least 50 percent of the qualified transit buses annually purchased for regular route transit service or special transportation service under section 473.386 by the council must be a zero-emission transit bus.

(b) Beginning on January 1, 2035, any qualified transit bus purchased for regular route transit service or special transportation service under section 473.386 by the council must be a zero-emission transit bus.

EFFECTIVE DATE; APPLICATION. This section is effective the day following final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."