
Environment & Energy Committee

HB 1236

Brief Description: Enhancing access to clean fuel for agencies providing public transportation.

Sponsors: Representatives Hackney, Abbarno, Senn, Reed, Doglio, Ramel and Lekanoff.

Brief Summary of Bill

- Authorizes a public transportation benefit area authority to produce, use, sell, or distribute green electrolytic hydrogen and renewable hydrogen, and to own and operate related pipelines and dispensing facilities.

Hearing Date: 1/30/23

Staff: Megan McPhaden (786-7114).

Background:

Public Transportation Benefit Areas.

A public transportation benefit area (PTBA) is a municipal corporation of the state. It is one of seven different governance structures for funding and operating public transit systems in the state. PTBAs are established by public transportation improvement conferences, convened by county legislative authorities, and are generally governed by elected officials selected by the legislative bodies of the county and the cities in the area.

PBTAs may: (1) develop and implement comprehensive transit plans; (2) acquire, construct, operate, and maintain transportation facilities; (3) fix rates, tolls, fares, and charges for the use of transportation facilities; and (4) establish routes and classes of transportation service, among other authorities.

There are currently 21 operating PTBAs out of the 32 total transit systems in the state. The

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PTBA Authority is the legislative body of a PTBA.

Green Electrolytic and Renewable Hydrogen.

Green electrolytic hydrogen is hydrogen produced through electrolysis, and does not include hydrogen manufactured using steam reforming or any other conversion technology that produces hydrogen from a fossil fuel feedstock.

Renewable hydrogen is hydrogen produced using renewable resources both as the source for the hydrogen and the source for the energy input into the production process. Renewable resources include water, wind, solar energy, geothermal energy, and renewable natural gas, among other resources.

Utilities and Transportation Commission.

The Utilities and Transportation Commission (UTC) is a three-member commission appointed by the Governor and confirmed by the Senate. The UTC regulates the rates, services, facilities, and practices of utilities and transportation services.

Summary of Bill:

A public transportation benefit area (PTBA) authority:

- may produce, distribute, and use green electrolytic hydrogen and renewable hydrogen for internal operations;
- may produce, distribute for sale, and sell green electrolytic hydrogen and renewable hydrogen at wholesale or to an end-use customer; and
- may not sell hydrogen delivered by pipeline to an end-use customer of a gas company.

For sales to an end-use customer, the PTBA authority may sell green electrolytic and renewable hydrogen to or through facilities that distribute, compress, store, liquify, or dispense these types of hydrogen for transportation fuel.

For the purposes of such a sale, PTBAs may own, operate, or own and operate, pipelines or dispensing facilities if the pipelines and dispensing facilities are located:

- where the PTBA may provide service;
- within the county where the PTBA may provide service, and:
 - is service connected; or
 - is in accordance with a partnership or agreement with one or more private partners.

PTBAs are not subject to the jurisdiction of the Utilities and Transportation Commission due to exercising these new authorities, except for administration and enforcement, including applicable fees, of state and federal pipeline safety requirements.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.