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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 302 Session of  
2013

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INTRODUCED BY MOUL, AUMENT, BAKER, CAUSER, COHEN, CUTLER,  
DENLINGER, EVANKOVICH, GRELL, GROVE, C. HARRIS, HICKERNELL,  
KAUFFMAN, F. KELLER, M. K. KELLER, KORTZ, LONGIETTI,  
MARSHALL, MATZIE, MICOZZIE, MILLER, PICKETT, QUINN, ROCK,  
SAYLOR, SIMMONS, SWANGER, WATSON, GINGRICH AND GABLER,  
FEBRUARY 5, 2013

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REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
FEBRUARY 5, 2013

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AN ACT

1 Establishing the Keystone Transit Program; and providing a  
2 transfer of funds from the Oil and Gas Lease Fund to the  
3 Department of Environmental Protection for a competitive  
4 grant program for the transition of small mass transit bus  
5 fleets to compressed natural gas.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. Short title.

9 This act shall be known and may be cited as the Keystone  
10 Transit Act.

11 Section 2. Definitions.

12 The following words and phrases when used in this act shall  
13 have the meanings given to them in this section unless the  
14 context clearly indicates otherwise:

15 "Department." The Department of Environmental Protection of  
16 the Commonwealth.

17 "Mass transit authority." An operator of regularly scheduled

1 transportation that is available to the general public and is  
2 provided according to published schedules along designated  
3 published routes with specified stopping points for the taking  
4 on and discharging of passengers. The term does not include  
5 exclusive ride taxi services, charter or sightseeing services,  
6 nonpublic transportation or school bus or limousine services.

7 "Program." The Keystone Transit Program.

8 "Small mass transit authority." A mass transit authority  
9 located in this Commonwealth that does not exceed 245,000  
10 revenue vehicle hours for two consecutive years.

### 11 Section 3. Keystone Transit Program.

12 (a) Establishment.--The department shall establish and  
13 administer the Keystone Transit Program.

14 (b) Purpose.--The program is established in order to  
15 decrease emissions from mass transit buses by utilizing natural  
16 gas as a vehicle fuel.

17 (c) Transfer of funds.--The State Treasurer shall transfer  
18 from the Oil and Gas Lease Fund to the department the sum of  
19 \$5,000,000 to fund the program.

20 (d) Use of funds.--The sum of \$5,000,000 shall be used to  
21 fund competitive grants available to small mass transit  
22 authorities for the conversion of buses to run on solely  
23 compressed natural gas as a fuel source or to purchase buses  
24 which use solely compressed natural gas as a fuel source.

25 (e) Application process.--

26 (1) A mass transit authority must complete and submit to  
27 the department a keystone transit grant application.

28 (2) Approved applications must obligate the mass transit  
29 authority to contract with a private company:

30 (i) to build exclusively with private funds; and

1           (ii) to maintain and operate any new compressed  
2           natural gas fueling facility necessary to support  
3           compressed natural gas buses purchased with funds  
4           received under this act.

5           (3) The term "operate" as used in this subsection shall  
6           not include the actual act of fueling buses.

7           (f) Eligible costs.--

8           (1) Grant funds received under this act shall be  
9           eligible for:

10           (i) Federally assisted bus purchases and shall be  
11           limited to the total percentage of the State and local  
12           match portion applied only to the incremental cost of a  
13           new compressed natural gas bus or compressed natural gas  
14           bus conversion.

15           (ii) Nonfederally assisted bus purchases and shall  
16           be limited to 50% of the total incremental cost of a new  
17           compressed natural gas bus or compressed natural gas bus  
18           conversion.

19           (2) The incremental cost shall be capped at \$50,000 for  
20           buses which have a gross vehicle weight rating over 26,000  
21           pounds and \$25,000 for buses with a gross vehicle weight  
22           rating of 26,000 pounds and under.

23           (3) Buses with a gross vehicle weight rating of 14,000  
24           pounds or less shall be ineligible.

25           (4) Priority shall be given to those applications which  
26           provide for public access to compressed natural gas vehicle  
27           fueling dispensers.

28           (g) Grant program.--The department shall establish a formula  
29           and method for awarding of grants under the program consistent  
30           with this act.

1       (h) Appeal process.--Applicants that are not awarded grants  
2 under this act shall not have the right to a hearing or the  
3 issuance of an adjudication under section 4 of the act of July  
4 13, 1988 (P.L.530, No.94), known as the Environmental Hearing  
5 Board Act, regarding the department's decision.  
6 Section 20. Effective date.  
7       This act shall take effect in 60 days.