

113TH CONGRESS
1ST SESSION

S. 1264

To foster market development of clean energy fueling facilities by steering infrastructure installation toward designated Clean Vehicle Corridors.

IN THE SENATE OF THE UNITED STATES

JUNE 27, 2013

Mr. CASEY introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To foster market development of clean energy fueling facilities by steering infrastructure installation toward designated Clean Vehicle Corridors.

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 Vehicle Cor-
5 ridors Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Traditional transportation refueling net-
9 works are well-established, but market uncertainties

1 continue to hamper the full use of cleaner alternative
2 domestic energy resources.

3 (2) Despite considerable investor interest, high-
4 er capital costs and an uncertain consumer base has
5 limited expansion of cleaner alternative refueling op-
6 tions and its customer base.

7 (3) Reduced emissions and energy independence
8 are important factors at a National level, but they
9 are not a sufficient inducement to create large-scale
10 changes.

11 (4) While American-made fuels provide many
12 energy security and environmental benefits, a signifi-
13 cant portion of imported oil continues to be con-
14 sumed as diesel fuel in on-road motor vehicles.

15 (5) Motor vehicles fueled by domestically gen-
16 erated, cleaner alternative transportation fuels, such
17 as compressed natural gas, liquefied natural gas,
18 propane, electricity, hydrogen, and advanced
19 biofuels, can pay for themselves over time, but sales
20 of such vehicles, other than return-to-base vehicles,
21 have been hampered because of insufficient refueling
22 infrastructure.

23 (6) Simultaneous facilitation of infrastructure
24 development and a robust customer base is needed
25 to avoid penalizing current users or early adopters.

1 (7) Facilitating focused infrastructure develop-
2 ment along designated routes will foster an expan-
3 sion of cleaner alternative fuel vehicles and increase
4 the likelihood for commercial success.

5 (8) Eliminating the logistical barriers that are
6 delaying infrastructure development along Clean Ve-
7 hicle Corridors will—

8 (A) provide cleaner alternative refueling
9 stations with a larger customer base;

10 (B) attract more buyers to the purchase of
11 clean vehicles; and

12 (C) provide new market outlets for clean
13 fuel providers.

14 **SEC. 3. PURPOSES.**

15 The purposes of this Act are—

16 (1) to provide market certainty to drive private
17 and commercial capital investment in clean transpor-
18 tation options;

19 (2) to promote clean transportation technologies
20 that will—

21 (A) lead to increased diversity and dissemi-
22 nation of cleaner alternative fuel options; and

23 (B) enable the United States to bridge the
24 gap from foreign energy imports to secure, do-
25 mestically produced energy; and

1 (3) to facilitate clean transportation incentives
2 that will—

3 (A) attract a critical mass of clean trans-
4 portation vehicles that will give cleaner alter-
5 native fueling stations an assured customer
6 base and market certitude;

7 (B) provide for ongoing increases in energy
8 demands;

9 (C) support the growth of jobs and busi-
10 nesses in the United States;

11 (D) reduce emissions by motor vehicles;

12 (E) decrease our Nation’s use of foreign
13 oil; and

14 (F) encourage innovation in transportation
15 energy and technology.

16 **SEC. 4. DEFINITIONS.**

17 In this Act:

18 (1) **CLEANER ALTERNATIVE FUELS.**—The term
19 “cleaner alternative fuels” includes—

20 (A) compressed natural gas;

21 (B) liquefied natural gas;

22 (C) liquefied petroleum gas (also known as
23 propane);

24 (D) plug-in electric;

(E) advanced biofuels (as defined in section 211(o)(1)(B)(i) of the Clean Air Act (42 U.S.C. 7545(o)(1)(B)(i));

(F) hydrogen; and

(G) other fuels designated by the Secretary.

(2) CLEAN CITIES.—The term “Clean Cities” means the voluntary public-private partnership and technology deployment program managed by the Department of Energy to meet goals in the Alternative Motor Fuels Act of 1988 (Public Law 100–494), the Clean Air Act Amendments of 1990 (Public Law 101–549), and the Energy Policy Act of 1992 (Public Law 102–486).

(3) HIGHWAYS.—The term “highways” is limited to roadways that are part of—

(A) the National Highway System, as established by the Federal Highway Administration;

(B) the Dwight D. Eisenhower National System of Interstate and Defense Highways;

(C) the National Truck Network, as authorized by the Surface Transportation Assistance Act of 1982 (Public Law 97–424) and es-

1 tablished by the Federal Highway Administra-
2 tion; and

3 (D) other roadways most critical to trucks
4 as determined by the Office of Freight Manage-
5 ment and Operations in the Federal Highway
6 Administration and authorized by the Moving
7 Ahead for Progress in the 21st Century Act
8 (MAP-21) (Public Law 112-141).

9 (4) SUPPORTING INFRASTRUCTURE.—The term
10 “supporting infrastructure” includes fueling sta-
11 tions, rest stops, travel plazas, and other service
12 areas on public or private property that are found
13 to be most practically located along a Clean Vehicle
14 Corridor.

15 **SEC. 5. CLEAN VEHICLE CORRIDORS PROGRAM.**

16 (a) CORRIDOR DESIGNATIONS.—

17 (1) IN GENERAL.—Not later than 1 year after
18 the date of the enactment of this Act, the Secretary
19 of Transportation (referred to in this section as the
20 “Secretary”) shall designate not fewer than 5
21 “Clean Vehicle Corridors” along Federal highways,
22 interstates, or other contiguous highways.

23 (2) CONSULTATION.—Before making a designa-
24 tion under paragraph (1), the Secretary shall—

1 (A) consult with the Secretary of Energy
2 regarding the analysis of data collected by both
3 agencies at cleaner alternative fueling projects
4 authorized by this Act and other Acts to better
5 understand usage patterns and petroleum dis-
6 placement to inform Corridor designation;

7 (B) receive approval from the Secretary of
8 Energy;

9 (C) consult with the Secretary of Com-
10 merce, the Secretary of the Interior, and the
11 Administrator of the Environmental Protection
12 Agency;

13 (D) consult with State, Tribal, and local
14 governments through whose jurisdictions the
15 proposed corridor runs or abuts;

16 (E) gather information from Federal,
17 State, Tribal, and local governments, non-
18 governmental organizations, businesses, Clean
19 Cities, and individuals to help determine which
20 highways should be included in the corridors
21 designated under paragraph (1);

22 (F) consider existing programs, whether
23 Federal, State, Tribal, local, or private, which
24 can be leveraged to achieve the purposes of this
25 Act;

(G) give preference to corridors that connect Clean Cities, as designated by the Department of Energy; and

(H) give consideration to air quality non-attainment areas, as determined by the Administration of the Environmental Protection Agency.

(b) INFRASTRUCTURE DEVELOPMENT FOR CLEANER ALTERNATIVE FUELS.—

(1) IN GENERAL.—The Secretary of Transportation shall encourage the addition of cleaner alternative fuel options and other supporting infrastructure along Clean Vehicle Corridors. These refueling stations should provide at least 1 cleaner alternative fuel and allow any motor vehicle that operates on such fuels to refuel at distances comfortably within 1 tank range without the need for prior arrangement. Existing and private facilities should be encouraged to be included in the Clean Vehicle Corridors network.

(2) INCENTIVES.—To promote Clean Vehicle Corridors, the Secretary may provide waivers to statutory restrictions for cleaner alternative fuel projects and vehicles along Clean Vehicle Corridors, including—

1 (A) modifying HOV/HOT lane restrictions
2 under section 166 of title 23, United States
3 Code, to accommodate vehicles using cleaner al-
4 ternative fuels;

5 (B) modifying weight limits under section
6 127 of title 23, United States Code, to accom-
7 modate the additional weight to vehicles caused
8 by cleaner alternative fuel technology such as
9 fuel cylinders for natural gas or auxiliary power
10 sources;

11 (C) deeming Clean Vehicle Corridor
12 projects designated under subsection (a) as eli-
13 gible projects for an increased Federal funding
14 share under section 1116 of the Moving Ahead
15 for Progress in the 21st Century Act (MAP-
16 21) (Public Law 112–141);

17 (D) allowing owners and operators of pub-
18 licly owned supporting infrastructure to des-
19 ignate parking spaces that are conveniently lo-
20 cated near major facilities for use by vehicles
21 that use cleaner alternative fuels;

22 (E) allowing the inclusion of cleaner alter-
23 native fueling infrastructure projects in State
24 energy conservation plans, in accordance with

1 section 362(d)(5) of the Energy Policy and
 2 Conservation Act (42 U.S.C. 6322(d)(5)); and
 3 (F) giving areas surrounding Clean Cities
 4 a priority preference for Department of Energy
 5 funding opportunities.

6 (c) INFORMATION AND RESOURCES ON CLEAN VEHI-
 7 CLE CORRIDORS.—

8 (1) WEBSITE.—

9 (A) IN GENERAL.—The Secretary of
 10 Transportation shall maintain a publicly acces-
 11 sible website containing information and re-
 12 sources for Clean Vehicle Corridors.

13 (B) BEST PRACTICES.—The Secretary, in
 14 consultation with Federal agencies, Tribes,
 15 States, and Clean Cities, shall—

16 (i) identify best practices and case
 17 studies of communities and complementary
 18 programs that have successfully promoted
 19 cleaner alternative fuel use; and

20 (ii) post the information described in
 21 clause (i) on the website referred to in sub-
 22 paragraph (A).

23 (C) AVAILABLE MECHANISMS.—The Sec-
 24 retary shall—

1 (i) identify all existing technical and
2 financial mechanisms available to promote
3 the development of cleaner alternative fuel
4 infrastructure; and

5 (ii) post the information described in
6 clause (i) on the website referred to in sub-
7 paragraph (A).

8 (D) HYPERLINK.—The Secretary shall en-
9 sure that the website referred to in subpara-
10 graph (A) is linked to the Alternative Fuels
11 Data Center maintained by the Department of
12 Energy.

13 (2) DATA GATHERING.—The Secretary shall
14 collaborate with the Secretary of Energy and all rel-
15 evant Clean Vehicle Corridor stakeholders to collect
16 data on cleaner alternative fueling station usage pat-
17 terns, including energy consumption, performance,
18 petroleum displacement, and other factors deemed
19 important by the Secretaries to inform Corridor des-
20 ignation and performance.

21 (3) INTERSTATE COMPACTS.—

22 (A) ESTABLISHMENT.—Two or more con-
23 tiguous States may enter into an interstate
24 compact to establish Clean Vehicle Corridor

1 partnerships to facilitate planning for and
2 siting of necessary facilities within those States.

3 (B) TECHNICAL ASSISTANCE.—

4 (i) IN GENERAL.—The Secretary, in
5 consultation with the Secretary of Energy,
6 the Secretary of Commerce, the Secretary
7 of the Interior, and the Administrator of
8 the Environmental Protection Agency, may
9 provide technical assistance to interstate
10 compact partnerships established pursuant
11 to subparagraph (A).

12 (ii) FEDERAL AUTHORITY.—Nothing
13 contained in clause (i) or in any compact
14 may be construed—

15 (I) to limit the applicability of
16 any Federal law;

17 (II) to diminish or otherwise im-
18 pair the jurisdiction of any Federal
19 agency; or

20 (III) to alter, amend, or other-
21 wise affect any Federal law governing
22 the judicial review of any action taken
23 pursuant to any compact.

24 (C) CONGRESSIONAL REVIEW.—Each com-
25 pact established pursuant to subparagraph (A)

1 shall acknowledge that Congress may withdraw
2 its consent under this paragraph every 3 years
3 after the compact has taken effect.

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