

116TH CONGRESS
2D SESSION

H. R. 5860

To expand the advanced technology vehicles manufacturing incentive program,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2020

Ms. BROWNLEY of California introduced the following bill; which was referred
to the Committee on Energy and Commerce

A BILL

To expand the advanced technology vehicles manufacturing
incentive program, and for other purposes.

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 “Advanced Technology
5 Vehicles Manufacturing Program Reform Act”.

6 **SEC. 2. ADVANCED TECHNOLOGY VEHICLES MANUFAC-**
7 **TURING INCENTIVE PROGRAM EXPANSION.**

8 (a) ZERO-EMISSION VEHICLES INCLUDED.—

1 (1) IN GENERAL.—Section 136 of the Energy
2 Independence and Security Act of 2007 (42 U.S.C.
3 17013) is amended—

4 (A) in subsection (d)—

5 (i) in paragraph (1), by inserting “or
6 in paragraph (5)” after “subsection (b)”;
7 and

8 (ii) by adding at the end the following
9 new paragraph:

10 “(5) ZERO-EMISSION VEHICLE MANUFAC-
11 TURING.—The activities described in this paragraph
12 are an automobile manufacturer, ultra efficient vehi-
13 cle manufacturer, or component supplier—

14 “(A) reequipping, expanding, or estab-
15 lishing a manufacturing facility in the United
16 States to produce zero-emission vehicles or
17 qualifying components; or

18 “(B) performing engineering integration in
19 the United States for zero-emission vehicles.”;
20 and

21 (B) in subsection (a), by adding at the end
22 the following new paragraph:

23 “(6) ZERO-EMISSION VEHICLE.—The term
24 ‘zero-emission vehicle’ means a passenger vehicle
25 that produces zero exhaust emissions of any criteria

1 pollutant, precursor pollutant, or greenhouse gas,
2 other than water vapor, in any mode of operation or
3 condition, as determined by the Administrator.”.

4 (2) CONFORMING AMENDMENTS.—Section
5 136(a) of the Energy Independence and Security Act
6 of 2007 (42 U.S.C. 17013(a)) is amended—

7 (A) in paragraph (3)—

8 (i) in subparagraph (A), by inserting
9 “or zero-emission vehicles” after “ad-
10 vanced technology vehicles”; and

11 (ii) in subparagraph (B), by striking
12 “components or advanced technology vehi-
13 cles” and inserting “components, advanced
14 technology vehicles, or zero-emissions vehi-
15 cles”; and

16 (B) in paragraph (4)—

17 (i) in subparagraph (A), by inserting
18 “or zero-emission vehicles” after “ad-
19 vanced technology vehicles”; and

20 (ii) in subparagraph (B), by inserting
21 “or zero-emission vehicles” after “ad-
22 vanced technology vehicles”.

23 (b) FINANCIAL VIABILITY REQUIREMENT MODIFICA-
24 TION.—Section 136(d)(3) of the Energy Independence

1 and Security Act of 2007 (42 U.S.C. 17013(d)(3)) is
2 amended—

3 (1) by striking “in which, as determined by the
4 Secretary” and all that follows through “the pro-
5 posed project;” and inserting the following: “for
6 which the Secretary determines—

7 “(A) the award recipient—

8 “(i) has a reasonable prospect of re-
9 paying the principal and interest on the
10 loan;”;

11 (2) by redesignating subparagraphs (B) and
12 (C) as clauses (ii) and (iii), respectively;

13 (3) in clause (iii), as redesignated, by striking
14 the period at the end and inserting a semicolon; and

15 (4) by adding at the end the following new sub-
16 paragraphs:

17 “(B) the amount of the loan, in combina-
18 tion with amounts available to the award recipi-
19 ent from other sources, will be sufficient to
20 carry out the applicable eligible project; and

21 “(C) the loan will not be subordinate to
22 other financing.”.

23 (c) RULEMAKING.—Not later than 60 days after the
24 date of enactment of this Act, the Secretary of Energy

1 shall promulgate regulations to carry out the amendments
2 made by this section.

3 **SEC. 3. STUDY ON PROGRAM LOANS.**

4 (a) STUDY.—The Comptroller General of the United
5 States shall conduct a study on the barriers to the applica-
6 tion for, and issuance of, loans under section 136(d) of
7 the Energy Independence and Security Act of 2007 (42
8 U.S.C. 17013(d)) and potential changes to reduce such
9 barriers to increase the number of such loans.

10 (b) BRIEFING.—Not later than 180 days after the
11 date of enactment of this Act, the Comptroller General
12 shall provide a briefing to the relevant congressional com-
13 mittees, as determined by the Comptroller General, on the
14 study described in subsection (a). At the time of the brief-
15 ing, the Comptroller General and such relevant congres-
16 sional committees shall jointly determine the date by
17 which the report described in subsection (c) shall be sub-
18 mitted to Congress and to the Secretary of Energy.

19 (c) REPORT.—Not later than the report submission
20 date determined under subsection (b), the Comptroller
21 General shall submit to Congress and to the Secretary of
22 Energy a report on the results of the study conducted
23 under subsection (a).

24 (d) RESPONSE TO REPORT.—Not later than 180 days
25 after the Secretary of Energy receives the report under

1 subsection (c), the Secretary shall, taking into consider-
2 ation such report and to the extent authorized by law, pro-
3 mulgate regulations to carry out the program described
4 in section 136(d) of the Energy Independence and Secu-
5 rity Act of 2007 (42 U.S.C. 17013(d)).

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