

**AMENDMENT TO RULES COMMITTEE**  
**PRINT 117-8**  
**OFFERED BY MR. BEYER OF VIRGINIA**

Page 417, after line 2, insert the following:

1 **SEC. 1320. COMMUNITY HEALTH AND CLEAN TRANSIT ACT.**

2 (a) DEFINITIONS.—In this section:

3 (1) COVERED LOAN.—The term “covered loan”  
4 means a direct loan made by the Secretary under  
5 section 4.

6 (2) ELECTRIC BUS.—The term “electric bus”  
7 means a bus that is a zero emission vehicle (as de-  
8 fined in section 5339(c)(1) of title 49, United States  
9 Code) that is fully battery-powered.

10 (3) ELIGIBLE AREA.—The term “eligible area”  
11 means an area that is—

12 (A) designated as a nonattainment area  
13 for ozone or particulate matter under section  
14 107(d) of the Clean Air Act (42 U.S.C.  
15 7407(d));

16 (B) a maintenance area, as such term is  
17 defined in section 5303 of title 49, United  
18 States Code; or

1 (C) in a State that has enacted a statewide  
2 zero emission bus transition requirement, as de-  
3 termined by the Secretary.

4 (4) ELIGIBLE ENTITY.—The term “eligible enti-  
5 ty” means an eligible recipient, as described in sec-  
6 tion 5339(a)(4) of title 49, United States Code.

7 (5) ELIGIBLE PROJECT.—The term “eligible  
8 project” has the meaning given the term in section  
9 5339(e)(1) of title 49, United States Code, except  
10 that—

11 (A) that definition shall be applied by sub-  
12 stituting “electric or fuel cell buses” for “low or  
13 no emission vehicles”; and

14 (B) an eligible project only includes a  
15 project in an eligible area (as defined in this  
16 section).

17 (6) ELIGIBLE PROJECT COST.—The term “eligi-  
18 ble project cost”—

19 (A) means the cost of an eligible project;  
20 and

21 (B) includes (and in the case of an eligible  
22 project described in clause (i), (ii), or (iii) of  
23 section 5339(e)(1)(B), means only)—

24 (i) the incremental cost of acquiring  
25 an electric or fuel cell bus necessary to

1 meet the needs of the eligible entity, as  
2 compared to the average cost of a diesel  
3 bus; and

4 (ii) the cost of technical assistance for  
5 the acquisition, financing, and operation of  
6 an electric or fuel cell bus and related in-  
7 frastructure, including technical assistance  
8 for route electrification, technology selec-  
9 tion, and vehicle-to-grid interfacing.

10 (7) FUEL CELL.—The term “fuel cell” means a  
11 method to propel by power derived from 1 or more  
12 cells which convert chemical energy directly into  
13 electricity by combining oxygen with hydrogen fuel  
14 which is stored on board the vehicle in any form and  
15 may or may not require reformation prior to use.

16 (8) SECRETARY.—The term “Secretary”, except  
17 as otherwise provided in this section, means the Sec-  
18 retary of Transportation.

19 (9) SUBSIDY AMOUNT.—The term “subsidy  
20 amount” means the amount of budget authority suf-  
21 ficient to cover the estimated long-term cost to the  
22 Federal Government of a covered loan—

23 (A) calculated on a net present value basis;  
24 and

1 (B) excluding administrative costs and any  
2 incidental effects on governmental receipts or  
3 outlays in accordance with the Federal Credit  
4 Reform Act of 1990 (2 U.S.C. 661 et seq.).

5 (b) PURPOSE.—The purpose of this section is to help  
6 entities that provide or finance public transportation to  
7 choose and be able to afford the best vehicles for their  
8 needs, and to achieve fuel and maintenance cost savings,  
9 by providing loans to eligible entities to acquire electric  
10 or fuel cell buses and related infrastructure.

11 (c) AUTHORIZATION TO PROVIDE ASSISTANCE.—The  
12 Secretary may make a direct loan to an eligible entity for  
13 eligible project costs.

14 (d) APPLICATIONS.—

15 (1) IN GENERAL.—An eligible entity desiring a  
16 covered loan shall submit to the Secretary an appli-  
17 cation that—

18 (A) includes an implementation plan for  
19 use of the covered loan;

20 (B) estimates the amounts the eligible en-  
21 tity will save on fuel and maintenance costs due  
22 to the covered loan; and

23 (C) provides reasonable assurance that the  
24 eligible entity will make all payments on the  
25 covered loan.

1           (2) LINK TO LOW OR NO EMISSION BUS AND  
2           BUS FACILITIES GRANT APPLICATIONS.—The Sec-  
3           retary shall establish a procedure under which an el-  
4           igible entity that submits an application for a grant  
5           under section 5339 of title 49, United States Code,  
6           may amend the application to also be considered for  
7           a covered loan under this section without having to  
8           submit a separate application under this section.

9           (3) GUIDANCE AND BEST PRACTICES.—Not  
10          later than 1 year after the date of enactment of this  
11          Act, the Secretary of Energy, in consultation with  
12          the Secretary of Transportation, shall develop and  
13          publish on the website of the Department of Energy  
14          guidance on best practices for transit districts to  
15          enter into innovative relationships with public utili-  
16          ties and bus manufacturers to incorporate into oper-  
17          ations and financing of electric or fuel cell buses and  
18          infrastructure—

19                 (A) secondary use or recycling of the bat-  
20                 tery;

21                 (B) vehicle-to-grid integration;

22                 (C) charging infrastructure cost shares; or

23                 (D) battery performance guarantees.

24          (e) TERMS AND CONDITIONS.—

25                 (1) IN GENERAL.—A covered loan—

1 (A) shall not accrue interest; and

2 (B) shall be on such terms and conditions  
3 and contain such covenants, representations,  
4 warranties, and requirements (including re-  
5 quirements for audits) as the Secretary may  
6 prescribe.

7 (2) TERM OF LOAN.—The Secretary may pro-  
8 vide a covered loan only if the final maturity date  
9 of the covered loan is not later than the date on  
10 which the electric or fuel cell bus acquired using the  
11 covered loan is expected to exceed its useful life,  
12 based on the average life expectancy of the electric  
13 or fuel cell bus.

14 (3) BUY AMERICA.—Section 5323(j) of title 49,  
15 United States Code, shall apply with respect to a  
16 project funded using a covered loan in the same  
17 manner as to a project funded using amounts appro-  
18 priated to carry out chapter 53 of such title 49.

19 (4) NON-FEDERAL SHARE FOR LOW-NO  
20 GRANTS.—Notwithstanding subsection (a)(6)(B), the  
21 proceeds of a covered loan may be used for any non-  
22 Federal share of project costs required under section  
23 5339(e) of title 49, United States Code, if the cov-  
24 ered loan is repayable from non-Federal funds.

25 (f) REPAYMENT.—

1           (1) COMMENCEMENT.—Scheduled repayments  
2           of principal on a covered loan provided to an eligible  
3           entity shall commence not later than 180 days after  
4           the date on which the eligible entity places in rev-  
5           enue service the electric or fuel cell bus and nec-  
6           essary infrastructure that were acquired using the  
7           covered loan.

8           (2) PREPAYMENT.—An eligible entity may  
9           make repayments on a covered loan in advance of  
10          the scheduled repayment date with no penalty.

11          (3) DELINQUENCY.—Notwithstanding any other  
12          provision of law, if an eligible entity fails to make  
13          a scheduled repayment on a covered loan, the Sec-  
14          retary may withhold from the eligible entity an  
15          equivalent amount of any assistance that would oth-  
16          erwise be provided to the eligible entity under a for-  
17          mula grant program under chapter 53 of title 49,  
18          United States Code.

19          (g) AVAILABILITY OF FUNDS.—Subject to the avail-  
20          ability of funds and except as otherwise provided in this  
21          section, amounts provided by the Secretary under this sec-  
22          tion shall be available until expended.

23          (h) AUTHORIZATION OF APPROPRIATIONS.—

24                 (1) IN GENERAL.—There is authorized to be  
25                 appropriated \$15,000,000 for each of the first 5 fis-

1 cal years beginning after the date of enactment of  
2 this Act for the subsidy amount of covered loans.

3 (2) ADMINISTRATIVE COSTS.—There is author-  
4 ized to be appropriated such sums as are necessary  
5 for the administrative cost of providing covered  
6 loans.

