

Amendment No. 200

Assembly Amendment to Assembly Bill No. 184	(BDR 40-588)
<b>Proposed by:</b> Assembly Committee on Natural Resources	
<b>Amends:</b> Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

Adoption of this amendment will ADD an appropriation where one does not currently exist in A.B. 184.
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ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

ERS/HAC



Date: 4/17/2023

A.B. No. 184—Establishes an incentive program for the purchase of certain zero-emission medium-duty and heavy-duty vehicles. (BDR 40-588)





ASSEMBLY BILL NO. 184—ASSEMBLYMEN WATTS,  
C.H. MILLER, YEAGER, KASAMA; AND MARZOLA

FEBRUARY 16, 2023

JOINT SPONSORS: SENATORS D. HARRIS AND PAZINA

Referred to Committee on Natural Resources

SUMMARY—Establishes an incentive program for the purchase of certain zero-emission medium-duty and heavy-duty vehicles. (BDR 40-588)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to air pollution; creating the Account for Clean Trucks and Buses; creating the Clean Trucks and Buses Incentive Program; establishing various requirements for the Program; making an appropriation; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law authorizes the State Environmental Commission to prescribe standards for exhaust emissions, fuel evaporative emissions and visible emissions of smoke from mobile internal combustion engines. (NRS 445B.760) Existing law also requires the Commission to establish, by regulation, a program for the regulation of smoke and other emissions by inspection of heavy-duty motor vehicles that are powered by diesel fuel or motor vehicle fuel. (NRS 445B.780) This bill establishes a voucher incentive program called the Clean Trucks and Buses Incentive Program in which the Division of Environmental Protection of the State Department of Conservation and Natural Resources will, within the limits of ~~federal and private~~ money available for such purposes, issue vouchers to approved contractors to redeem with the Division for offering certain price incentives to certain entities for the sale of eligible zero-emission medium-duty and heavy-duty vehicles.

**Sections 2-15** of this bill define various terms related to the Clean Trucks and Buses Incentive Program.

**Section 16** of this bill creates the Account for Clean Trucks and Buses, which is administered by the Division to carry out the Clean Trucks and Buses Incentive Program. **Section 16** requires ~~that~~ the Department of Transportation to enter into an agreement with the Division to: (1) enable the Division to administer 35 percent of the ~~allocation~~ apportionment of federal money to this State for the federal Carbon Reduction Program, 23 U.S.C. § 175, ~~be deposited in the Account~~ beginning in January 2024 ; ~~and continuing for as long as the Carbon Reduction Program allocates money to the states that may be used for this purpose.~~ ; (2) coordinate with the Division to ensure that the use of the money is consistent with all requirements of federal law; and (3) ensure that any necessary waivers for the Clean Trucks and Buses Program are obtained from the federal government.

25 **Section 17** of this bill creates the Clean Trucks and Buses Incentive Program and sets  
 26 forth the base incentives and incentive increases that are available to eligible entities for the  
 27 purchase of a clean truck or bus. To be eligible for an incentive from the Program, **section 17**  
 28 requires that an entity: (1) own or operate a diesel-powered or gasoline-powered medium-duty  
 29 or heavy-vehicle or a fleet of medium-duty or heavy-duty vehicles; and (2) be domiciled in  
 30 this State.

31 **Section 18** ~~20.5~~ of this bill ~~authorizes a contractor to submit an application to~~  
 32 requires the Commission to adopt regulations to carry out the Program, which must  
 33 include requirements for: (1) the Division to approve a clean truck or bus or repowered  
 34 vehicle as eligible for purchase using an incentive from the Program; ~~— Section 19 of this bill establishes requirements for;~~ (2) a contractor to submit an  
 35 application to be approved to sell eligible clean trucks or buses using an incentive from the  
 36 Program; ~~— Section 20 of this bill requires an entity that would like to receive an incentive from the~~  
 37 ~~Program to: (1) agree to operate the clean truck or bus for at least 5 years and domicile the~~  
 38 ~~clean truck or bus in this State for at least 5 years; (2) certify that the clean truck or bus will~~  
 39 ~~travel at least 5,000 miles per year or for 1,000 hours per year; and (3) certify that the clean~~  
 40 ~~truck or bus will be operated in this State 75 percent of the time that it is being operated.~~  
 41 ~~Section 20 also: (1) requires;~~ and (3) an eligible entity to work with an approved contractor  
 42 to submit an application to receive an incentive from the Program . ~~— and (2) sets forth certain~~  
 43 ~~criteria that must be included in an application to receive an incentive from the Program,~~  
 44 ~~which will be used by the Division to prioritize applications for an incentive.]~~

45 **Section 21** of this bill requires the Division to review applications on a quarterly basis.  
 46 Upon approval of an application, **section 21** requires the Division to reserve the amount of the  
 47 incentive from the Program offered to the entity in the Account for Clean Trucks and Buses  
 48 and, with certain exceptions, issue the approved contractor a voucher for that amount, which  
 49 is valid for 1 year ~~— and may be extended for an additional 1 year upon the request of the~~  
 50 approved contractor. Once the clean truck or bus has been purchased, delivered and placed  
 51 into operation by the entity, **section 21** authorizes the contractor to redeem the voucher with  
 52 the Division.

53 **Section 22** of this bill requires an entity that receives an incentive for the purchase of a  
 54 clean truck or bus from the Clean Trucks and Buses Incentive Program to submit written  
 55 reports to the Division in accordance with regulations adopted by the ~~State Environmental~~  
 56 Commission. **Section 22** further requires the Division to submit an annual summary of these  
 57 reports to the Director of the Legislative Counsel Bureau.

58 **Section 22.5 of this bill makes an appropriation to the Account for Clean Trucks and**  
 59 **Buses created by section 16 for carrying out the Clean Trucks and Buses Program.**  
 60  
 61

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 445B of NRS is hereby amended by adding thereto the  
 2 provisions set forth as sections 2 to 22, inclusive, of this act.

3 **Sec. 2.** *As used in sections 2 to 22, inclusive, of this act, unless the context*  
 4 *otherwise requires, the words and terms defined in sections 3 to 15, inclusive, of*  
 5 *this act have the meanings ascribed to them in those sections.*

6 **Sec. 3.** *“Clean truck or bus” means a medium-duty or heavy-duty vehicle*  
 7 *that:*

- 8 1. *Is powered by electricity that is stored in a battery or produced by a*  
 9 *hydrogen fuel cell; and*
- 10 2. *Produces zero exhaust emissions.*

11 **Sec. 4.** *“Clean Trucks and Buses Incentive Program” or “Program” means*  
 12 *the Clean Trucks and Buses Incentive Program created by section 17 of this act.*

13 **Sec. 5.** *“Commission” means the State Environmental Commission.*

14 **Sec. 6.** *“Contractor” means:*

1           1. An original equipment manufacturer;  
2           2. An upfit manufacturer; or  
3           3. A vehicle dealership that sells clean trucks or buses and that has an  
4 agreement with an original equipment manufacturer or upfit manufacturer to  
5 sell eligible clean trucks or buses using incentives from the Clean Trucks and  
6 Buses Incentive Program.

7           Sec. 7. "Division" means the Division of Environmental Protection of the  
8 State Department of Conservation and Natural Resources.

9           Sec. 8. "Eligible entity" or "entity" means:

10          1. A local government, which includes, without limitation, any county, city,  
11 district, agency, regional transportation commission, school district or other  
12 political subdivision of this State;

13          2. A state agency that operates a medium-duty or heavy-duty vehicle or a  
14 fleet of medium-duty or heavy-duty vehicles;

15          3. A nonprofit organization;

16          ~~3.1~~ 4. A commercial entity that owns a medium-duty or heavy-duty vehicle  
17 or a fleet of medium-duty or heavy-duty vehicles; or

18          ~~4.1~~ 5. An independent truck operator.

19           Sec. 9. "Gross vehicle weight rating" means the maximum weight specified  
20 by the manufacturer of a vehicle at which a vehicle can be operated safely.

21           Sec. 10. "Historically underserved community" has the meaning ascribed  
22 to it in NRS 445B.834.

23           Sec. 11. "Independent truck operator" means a person who is the owner or  
24 operator of a medium-duty or heavy-duty vehicle that is hired as a third-party  
25 contractor to transport goods for a commercial entity.

26           Sec. 12. "Medium-duty or heavy-duty vehicle" means any medium-duty  
27 vehicle or heavy-duty vehicle that:

28          1. Has a gross vehicle weight rating of more than 8,500 pounds; or

29          2. Is classified as having a gross vehicle weight rating class established by  
30 the ~~[Federal Highway Administration of the] United States [Department of~~  
31 ~~Transportation]~~ Environmental Protection Agency of 2b or higher.

32           Sec. 13. "Original equipment manufacturer" means a company that builds  
33 or assembles the completed drivetrain and chassis of a medium-duty or heavy-  
34 duty vehicle.

35           Sec. 14. "Repowered vehicle" means a medium-duty or heavy-duty vehicle  
36 that was previously powered by diesel or gasoline which has been upfitted or  
37 retrofitted by an upfit manufacturer to be powered by a battery electric or fuel cell  
38 electric powertrain.

39           Sec. 15. "Upfit manufacturer" means a company that installs equipment  
40 on the rolling chassis of a medium-duty or heavy-duty vehicle that was purchased  
41 from an original equipment manufacturer to switch the power source of the  
42 vehicle from diesel or gasoline to a battery electric or a fuel cell electric  
43 powertrain in order to create a repowered vehicle.

44           Sec. 16. 1. The Account for Clean Trucks and Buses is hereby created in  
45 the State Treasury to be administered by the Division.

46          2. The interest and income earned on the money in the Account must, after  
47 deducting any applicable charges, be credited to the Account. All claims against  
48 the Account must be paid as other claims against the State are paid.

49          3. Any money remaining in the Account at the end of a fiscal year does not  
50 revert to the State General Fund remaining, and the balance in the Account must  
51 be carried forward to the next fiscal year.

1           4. All money that is deposited or paid into the Account must be used by the  
2 Division to carry out the Clean Trucks and Buses Incentive Program created  
3 pursuant to section 17 of this act.

4           5. Beginning in fiscal year 2024, and for the duration of the time in which  
5 ~~such allocations~~ apportionments are made to the State of Nevada by the Federal  
6 Government pursuant to the federal Carbon Reduction Program, 23 U.S.C. §  
7 175, and available for such purposes, the Department of Transportation shall  
8 ~~deposit~~ :

9           (a) Enter into an agreement with the Division under which the Division will  
10 administer 35 percent of the federal money ~~allocated~~ apportioned to this State  
11 pursuant to the federal Carbon Reduction Program, 23 U.S.C. § 175, ~~into the~~  
12 Account and the Department of Transportation will make such federal money  
13 available for use by the Division to carry out the provisions of sections 2 to 22,  
14 inclusive, of this act, including, without limitation, to the extent authorized by  
15 federal law, for the costs of administering the Clean Trucks and Buses Incentive  
16 Program and staffing costs.

17           (b) Coordinate with the Division to ensure all requirements of federal law  
18 are met in developing the Clean Trucks and Buses Incentive Program created by  
19 section 17 of this act and administering any federal money apportioned under  
20 federal law.

21           (c) Assist the Division to request and obtain any waivers from the Federal  
22 Highway Administration that are necessary to comply with federal law and any  
23 conditions for any federal money.

24           6. The Division may apply for and accept gifts, grants, donations, bequests  
25 and any other source of money available under federal law, including, without  
26 limitation, the Clean Heavy-Duty Vehicle Program, 42 U.S.C. § 7432, the  
27 Greenhouse Gas Reduction Fund, 42 U.S.C. § 7434 or the Diesel Emissions  
28 Reduction Act, 42 U.S.C. §§ 16131-16139, inclusive, and from private sources for  
29 deposit in the Account to carry out the provisions of the Clean Trucks and Buses  
30 Incentive Program created by section 17 of this act.

31           Sec. 17. 1. The Clean Trucks and Buses Incentive Program is hereby  
32 created for the purpose of awarding incentives to eligible entities for the purchase  
33 of eligible clean trucks and buses from approved contractors. ~~The~~ Except as  
34 otherwise provided in subsection 2, the Division shall administer the Program in  
35 accordance with the provisions of sections 2 to 22, inclusive, of this act.

36           2. In accordance with subsection 5 of section 16 of this act, the Department  
37 of Transportation shall oversee the use of federal money for the Clean Trucks  
38 and Buses Incentive Program, ensure all requirements of federal law are met for  
39 such federal money and administer payments of federal money to the Division to  
40 carry out the Program.

41           3. In administering the Clean Trucks and Buses Incentive Program, the  
42 Division shall establish ~~+~~, in accordance with the regulations adopted by the  
43 Commission pursuant to section 20.5 of this act:

44           (a) The clean trucks and buses that are eligible for purchase using an  
45 incentive from the Program ; ~~pursuant to section 18 of this act;~~

46           (b) The contractors that are approved to sell eligible clean trucks and buses ;  
47 ~~pursuant to section 19 of this act;~~

48           (c) A process for reviewing applications submitted by an approved contractor  
49 to determine which entities will receive an incentive in accordance with the  
50 requirements set forth in this section ; ~~and section 20 of this act;~~ and

51           (d) A process for issuing vouchers to approved contractors who have sold an  
52 eligible clean truck or bus to an eligible entity to redeem the incentive offered to  
53 the entity.

~~3.~~ 4. To receive an incentive for the purchase of an eligible clean truck or bus, an entity must:

(a) Own or operate a diesel-powered or gasoline-powered medium-duty or heavy-duty vehicle or a fleet of medium-duty or heavy-duty vehicles; and

(b) Be domiciled in this State.

~~4.4.~~ 5. The base incentive that is available to an eligible entity from the Program for a clean truck or bus is based on the gross vehicle weight rating class established by ~~the Federal Highway Administration of~~ the United States ~~Department of Transportation~~ Environmental Protection Agency as follows:

(a) For a gross vehicle weight rating class of 2b, \$20,000;

(b) For a gross vehicle weight rating class of 3, \$50,000;

(c) For a gross vehicle weight rating class of 4, \$65,000;

(d) For a gross vehicle weight rating class of 5, \$75,000;

(e) For a gross vehicle weight rating class of 6, \$90,000;

(f) For a gross vehicle weight rating class of 7, \$135,000; and

(g) For a gross vehicle weight rating class of 8, \$175,000.

~~5.5.~~ 6. If an eligible entity demonstrates that the entity meets one of the following criteria, the base incentives set forth in subsection 4 may be increased as follows:

(a) For a minority-owned, ~~or~~ veteran-owned, LGBTQ-owned or woman-owned business, a 5 percent increase to the base incentive.

(b) For a small business, a 20 percent increase to the base incentive.

(c) For an independent truck operator, a 33 percent increase to the base incentive. An independent truck operator may not also apply to receive the small business increase to the base incentive.

(d) For a regional transportation commission, a 10 percent increase to the base incentive.

(e) For a school district, charter school or university school for profoundly gifted pupils:

(1) A 10 percent increase to the base incentive; or

(2) If the school district, charter school or university school for profoundly gifted pupils is located in a historically underserved community, a 20 percent increase to the base incentive.

(f) For a tribal government, a 20 percent increase to the base incentive.

(g) For a business owned by a resident of an Indian reservation or Indian colony, a 20 percent increase to the base incentive.

~~6.6.~~ 7. An eligible entity:

(a) May not receive more than 2 increases to the base incentive pursuant to subsection ~~5.5.~~ 6.

(b) Except as otherwise provided in paragraph (c), may not receive more than ~~5.~~ 10 incentives in one year; and

(c) That is a school district or regional transportation commission in a county whose population is 700,000 or more may not receive more than ~~10.~~ 15 incentives in a year.

~~7.7.~~ 8. ~~[The Commission may adopt any regulations necessary to carry out the Program in accordance with the provisions of sections 2 to 22, inclusive, of this act.]~~ As used in this section:

(a) "LGBTQ" means lesbian, gay, bisexual, transgender, queer or intersex or of any other nonheterosexual or noncisgender orientation or gender identity or expression.

(b) "LGBTQ-owned business" means a business that:

(1) Is owned by a natural person who identifies as LGBTQ; or

(2) Has at least 51 percent of its ownership interest held by one or more natural persons who identify as LGBTQ.

(c) "Minority group" means:

(1) A racial or ethnic minority group; or

(2) A group of persons with disabilities.

(d) "Minority-owned business" means a business that:

(1) Is owned by a natural person who is a member of a minority group;

or

(2) Has at least 51 percent of its ownership interest held by one or more natural persons who is a member of a minority group.

~~Sec. 18. (1) A contractor may submit an application, in the form required by the Division, for approval of the eligibility of a clean truck or bus to be purchased by an entity who receives an incentive from the Program.~~

~~2. Except as otherwise provided in subsection 4, to be eligible for the Program:~~

~~(a) A clean truck or bus must have a model year that is not more than 1 year older than the calendar year in which the clean truck or bus is being purchased; and~~

~~(b) The final assembly of the clean truck or bus must have been in the United States.~~

~~3. An application for approval of a clean truck or bus submitted to the Division pursuant to this section must include, without limitation:~~

~~(a) The make and model of the clean truck or bus;~~

~~(b) The model year of the clean truck or bus;~~

~~(c) The fuel type used by the clean truck or bus;~~

~~(d) The manufacturer's gross vehicle weight rating of the clean truck or bus;~~

~~(e) The energy and environmental attributes of the clean truck or bus;~~

~~(f) The manufacturer's suggested retail price for the clean truck or bus, which must be the price of the clean truck or bus before taxes and must include, without limitation, evidence of the price of the clean truck or bus;~~

~~(g) The price before taxes to purchase a comparable diesel powered or gasoline powered medium duty or heavy duty vehicle instead of the clean truck or bus which must include, without limitation, evidence of the price of the comparable diesel powered or gasoline powered medium duty or heavy duty vehicle;~~

~~(h) The incremental cost of the clean truck or bus in comparison to the comparable diesel powered or gasoline powered alternative;~~

~~(i) Evidence that the final assembly of the clean truck or bus occurred in the United States, which must include, without limitation, the location where the final assembly occurred, the actions performed during the final assembly and the total value of the final assembly;~~

~~(j) An affirmation that the clean truck or bus meets any applicable federal and state requirements; and~~

~~(k) Proof that the clean truck or bus has a guaranteed warranty for the motor, powertrain, parts and labor.~~

~~4. An upfit manufacturer may submit an application to the Division for the approval of a repowered vehicle as a clean truck or bus if the repowered vehicle is:~~

~~(a) At least 8 years older than the current model year of medium duty and heavy duty vehicles; and~~

~~(b) Certified with an expected operational lifespan of at least 10 years.~~

~~5. In addition to the applicable requirements of subsection 3, the application for a repowered vehicle submitted pursuant to subsection 4 must~~



1 ~~include, without limitation, a comparison of the cost of purchasing a comparable~~  
2 ~~diesel-powered or gasoline-powered alternative to the repowered vehicle. The~~  
3 ~~Division shall determine the level of incentive to be offered based on the cost of~~  
4 ~~the purchase of such a comparable vehicle, but the incentive offered for a~~  
5 ~~repowered vehicle must not be more than the incentive offered for the purchase~~  
6 ~~of a new clean truck or bus.~~

7 ~~6. For the purposes of paragraph (h) of subsection 3:~~

8 ~~(a) The incremental cost of a clean truck or bus is the difference in cost~~  
9 ~~between the new clean truck or bus and a comparable new diesel-powered or~~  
10 ~~gasoline-powered medium-duty or heavy-duty vehicle.~~

11 ~~(b) The incremental cost of a repowered vehicle is the entire cost to repower~~  
12 ~~the vehicle.] (Deleted by amendment.)~~

13 ~~Sec. 19. [1. A contractor may submit an application to the Division, in the~~  
14 ~~form required by the Division, for approval to participate as an approved~~  
15 ~~contractor in the Clean Trucks and Buses Incentive Program.~~

16 ~~2. A vehicle dealership that sells clean trucks or buses must submit with his~~  
17 ~~or her application proof that the dealership has been authorized by an original~~  
18 ~~equipment manufacturer or an upfit manufacturer to sell a clean truck or bus~~  
19 ~~using an incentive from the Program.~~

20 ~~3. An approved contractor may:~~

21 ~~(a) Market the availability of incentives from the Clean Trucks and Buses~~  
22 ~~Incentive Program;~~

23 ~~(b) Submit an application for a voucher to the Division on behalf of an~~  
24 ~~eligible entity pursuant to section 20 of this act; and~~

25 ~~(c) Redeem a voucher with the Division after selling an eligible clean truck~~  
26 ~~or bus to an eligible entity in accordance with the provisions of sections 20 and~~  
27 ~~21 of this act.] (Deleted by amendment.)~~

28 ~~Sec. 20. [1. To receive an incentive for the purchase of an eligible clean~~  
29 ~~truck or bus pursuant to sections 2 to 22, inclusive, of this act, an entity must:~~

30 ~~(a) Agree to operate the clean truck or bus for at least 5 years;~~

31 ~~(b) Agree to domicile the clean truck or bus in this State for at least 5 years;~~

32 ~~(c) Certify that the clean truck or bus will travel at least 5,000 miles per year~~  
33 ~~or for 1,000 hours per year; and~~

34 ~~(d) Certify that the clean truck or bus will be operated in this State for at~~  
35 ~~least 75 percent of the time that the clean truck or bus is operated.~~

36 ~~2. An eligible entity must work with a contractor approved pursuant to~~  
37 ~~section 19 of this act who shall submit an application on behalf of the entity. An~~  
38 ~~application submitted on behalf of an entity must include, without limitation:~~

39 ~~(a) Whether the entity is domiciled in this State and operates in a historically~~  
40 ~~underserved community;~~

41 ~~(b) Whether the entity has the necessary infrastructure in place to charge~~  
42 ~~clean trucks or buses or has plans to install such infrastructure;~~

43 ~~(c) Whether the entity qualifies for one or more of the increases to the base~~  
44 ~~incentive described in subsection 4 of section 17 of this act;~~

45 ~~(d) How the entity plans to meet the demands of its charging loads,~~  
46 ~~including, without limitation, any managed charging programs or vehicle-to-grid~~  
47 ~~or vehicle-to-building use;~~

48 ~~(e) The estimated annual mileage of the clean truck or bus that will be~~  
49 ~~purchased by the entity;~~

50 ~~(f) Any long-term plans of the entity for the additional electrification of the~~  
51 ~~fleet of medium-duty and heavy-duty vehicles of the entity, if applicable;~~

52 ~~(g) Whether the entity has been waitlisted pursuant to section 21 of this act~~  
53 ~~during the previous application cycle; and~~

~~(h) Any other criteria the Division determines is appropriate for prioritizing applications for an incentive.~~

~~3. The Division may reject an application that the Division determines is incomplete. (Deleted by amendment.)~~

Sec. 20.5. The Commission shall adopt regulations to carry out the Clean Trucks and Buses Incentive Program in accordance with the provisions of sections 2 to 22, inclusive of this act. Any such regulations adopted by the Commission pursuant to this section must be consistent with all applicable requirements of federal law and must include, without limitation:

1. The requirements to approve a clean truck or bus as eligible for an incentive, including, without limitation:

(a) The process by which applications must be submitted to the Division to approve a clean truck or bus as eligible to receive an incentive;

(b) The contents of an application required for approval of a clean truck or bus as eligible to receive an incentive;

(c) Any specific requirements relating to the manufacturing and final assembly of clean trucks or buses that are necessary to meet any requirements of federal law for the use of federal money;

(d) Any specific requirements for repowered vehicles; and

(e) Any other necessary requirements relating to approving a clean truck or bus, as determined by the Commission.

2. The requirements to approve a contractor to participate as an approved contractor in the Program, including, without limitation:

(a) The process by which applications must be submitted by contractors to the Division;

(b) The contents of the application required to be submitted by a contractor to participate as an approved contractor;

(c) Any activities in which an approved contractor may engage under the Program; and

(d) Any other necessary requirements relating to approving a contractor, as determined by the Commission.

3. The requirements relating to entities which are eligible to receive an incentive for the purchase of an eligible clean truck or bus, including, without limitation:

(a) The process to determine the eligibility of entities to receive an incentive;

(b) Any requirements for eligible entities;

(c) The contents of the application submitted by an entity who may be eligible for an incentive and an approved contractor for a voucher from the Program;

(d) The process by which applications for a voucher are submitted and processed by the Division;

(e) Any performance requirements for eligible vehicles to meet in order to participate in the Program; and

(f) Any other necessary requirements relating to applications for incentives, as determined by the Commission.

Sec. 21. 1. The Division shall review the applications submitted in accordance with the regulations adopted pursuant to section ~~20~~ 20.5 of this act on a rolling basis beginning on January 1, March 1, June 1 and September 1 of each year and, within the limits of money available from the Account for Clean Trucks and Buses for that quarter, grant applications for incentives. If an eligible entity meets the requirements for an incentive but does not receive an incentive after submitting an application, the entity must be waitlisted and granted priority to receive an incentive during the next application cycle.

1           2. Upon approving an application, the Division shall reserve the amount of  
 2 the incentive in the Account for Clean Trucks and Buses and, except as otherwise  
 3 provided in subsection 4, issue the approved contractor a voucher for that  
 4 amount, which except as otherwise provided in this subsection, is valid for a  
 5 period of 1 year from the date of issuance. The approved contractor may redeem  
 6 the voucher by submitting proof to the Division that the clean truck or bus has  
 7 been purchased, delivered and placed into operation by the entity who received  
 8 the incentive. The approved contractor may submit a request to the Division for  
 9 an extension of the voucher for an additional period of 1 year.

10           3. The approved contractor must reduce the price of the clean truck or bus  
 11 by the full amount of the voucher issued to the approved contractor and must not  
 12 charge any additional fees for selling the clean truck or bus, including, without  
 13 limitation, any fees associated with processing the voucher.

14           4. If the incremental cost of an eligible clean truck or bus is less than the  
 15 incentive which an entity is eligible to receive, the Division shall reduce the value  
 16 of the voucher to the incremental cost of purchasing the clean truck or bus  
 17 instead of a comparable diesel-powered or gasoline-powered medium-duty or  
 18 heavy-duty vehicle.

19           Sec. 22. 1. An entity that receives an incentive for the purchase of a clean  
 20 truck or bus from the Clean Trucks and Buses Incentive Program must submit  
 21 written reports to the Division in accordance with the regulations adopted by the  
 22 Commission pursuant to subsection 2.

23           2. The Commission shall adopt regulations establishing reporting  
 24 requirements in accordance with this section for recipients of an incentive from  
 25 the Program. Such regulations:

26           (a) ~~Must require recipients to demonstrate that the recipient is complying~~  
 27 ~~with the requirements of subsection 1 of section 20 of this act;~~

28           ~~(b) May not require a recipient to submit a report more than two times each~~  
 29 ~~year; and~~

30           ~~(c)~~ (b) May not require a recipient to submit a report for more than 3 years  
 31 ~~↔~~ unless otherwise required to comply with federal law.

32           3. On or before December 31 of each year, the Division shall submit to the  
 33 Director of the Legislative Counsel Bureau for transmittal to the Legislature or,  
 34 if the Legislature is not in session to the Legislative Commission, a summary of  
 35 the reports submitted to the Division pursuant to this section.

36           Sec. 22.5. There is hereby appropriated from the State General Fund to  
 37 the Account for Clean Trucks and Buses, created by section 16 of this act, the  
 38 sum of \$4,000,000 for carrying out the Clean Trucks and Buses Incentive  
 39 Program created by section 17 of this act.

40           Sec. 23. The provisions of subsection 1 of NRS 218D.380 do not apply to  
 41 any provision of this act which adds or revises a requirement to submit a report to  
 42 the Legislature.

43           Sec. 24. 1. This section becomes effective upon passage and approval.

44           2. Sections 1 to ~~23~~ 20.5, inclusive, 22 and 23 of this act become effective:

45           (a) Upon passage and approval for the purpose of adopting any regulations and  
 46 performing any other preparatory administrative tasks that are necessary to carry  
 47 out the provisions of this act; and

48           (b) On January 1, 2024, for all other purposes.

49           3. Section 21 of this act becomes effective on the date that the permanent  
 50 regulations required to be adopted by the State Environmental Commission  
 51 pursuant to section 20.5 of this act are filed with the Secretary of State  
 52 pursuant to NRS 233B.070.

53           4. Section 22.5 of this act becomes effective on July 1, 2023.