



Texas Electric Transportation Resources Alliance

txetra.org

*“Leading Texas Toward
An Electric Transportation Future”*

TxETRA is comprised of electric vehicle manufacturers and their dealers, charging companies, utilities, distributors, Texas university researchers, EV Drivers, consumers, and clean air advocacy groups.

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Texas EV Group Highlights Legislative Successes.

Electric Vehicle advocates pointed to some successes as the 87th legislative session wound down to a close.

TxETRA members leapt into the session with a 5-point plan for integrating EVs into the state’s electric grid and transportation planning. But after Texas’ devastating winter storm, EVs grabbed [headlines](#) as an energy solution when many EV owners shared stories of survival by describing how they used their charged up vehicle batteries as backup power generators. “Our top priority bill passed (SB 1202 by Hancock), said Executive Director Tom “Smitty” Smith, and several others made it through one house or the other, only to die in the end of session crush. Still, we managed to fend off a whole series of highly punitive EV fee bills that would have punished EV drivers by charging them nearly twice what gas car owners pay in road use fees. This is a long game and we’ll be back next session.”

TxETRA, who describes itself as “The Voice of Electric Transportation in Texas,” works with a broad group of stakeholders to develop EV policy for the state. By the beginning of 2021, they had nailed down a draft of what became [HB 2221](#) (the Omnibus Electric Transportation Act or ‘ETA’) filed by House Transportation Chair Terry Canales. Priorities in the bill included a fair \$100 annual EV registration fee, measures to pave the way for a border-to-border EV charging infrastructure (with equity and access in rural and low income areas to avoid another ‘digital divide’), and an interim study on EV battery recycling and re-use.

As Texas’ February 2021 “Snocane” dominated the news and refocused the session, Smith and his team anticipated that TxETRA’s bill might be eclipsed by legislation seeking redress issues leading to the deadly winter storm disaster. So, they began looking for other bills on which they might add TxETRA priorities as amendments.

After last session, the group anticipated lawmaker concerns about lost gas tax revenues and so conducted the first of two EV Surveys. Results revealed that the majority of EV owners are more than willing to pay their fair share in road use fees, as long as they are consistent with what fossil-fuel vehicle owners pay. In 2019, EV owners were able to fight off legislative attempts at high EV fees in lieu of an interim [Study on Imposing Fees on Alternatively Fueled Vehicles](#) conducted by the Texas Department of Motor Vehicles (DMV). It found that the average driver paid annual state fee of \$100 while the driver of the most fuel efficient cars that are most often traded for an EV paid about \$60. Meanwhile, despite the Texas DMVs recommended \$100 EV fee, some lawmakers chose to ignore or reinterpret the Agency’s proposal and filed bills that levied fees far in excess of what gas vehicles pay on state road and bridge taxes. TxETRA and their partners were able to derail the unfair high fee proposals and say they count each bill’s defeat as a victory.

[SB 1728](#) by Schwertner began as a straightforward EV fee bill that sought a flat fee of \$200-250. During an [emotional public hearing in the House Transportation Committee](#), every witness testified against the \$200 fee. Retirees and school teachers on fixed incomes testified that they bought their EVs – some of them used and with limited range - to save on fuel and maintenance costs. They said the proposed fee, which ignored mileage, was unfair and would have a devastating financial consequences on their budgets. Committee members responded by drafting a committee substitute with a five-tiered system based on vehicle miles traveled (VMT) – which would have been among the first of its kind in the nation. The sponsor also agreed to amend his bill to create the Texas Transportation Electrification Council (TTEC) – another TxETRA priority, tasked with developing a border-to-border charging plan. However, the bill died on the House floor by a point of order in the last week of the session.

The most important EV bill of the session was carried Senator Kelly Hancock. TxETRA’s [SB 1202](#), which exempts EV charging companies from having to register as a utility in order to sell power. The bill passed both Houses and is on its way to the Governor.

Smith said the measure will help empower the expansion of EV charging in Texas. The language of the bill was recommended by the PUC with whom TxETRA has been working on EV policy considerations for over three years.

The House clock ran out on [Senate Bill 839](#) by Schwertner, which would have placed EV Charging under the supervision of the Texas Department of Licensing and Regulation (TDLR) to set operational standards and consumer protections. However, Smith says that rules on some of these are now set to be promulgated at the federal level, .

“When we began visiting lawmakers in 2019, most considered electric vehicles a vague and futuristic concept,” says Smith. “We came armed with [studies](#) proving that major countries across Europe and Asia had already begun phasing out internal combustion engines (ICE) by 2025-2040 due to concerns about air pollution and climate change. Our message was: “This transformation is going to happen with - or without – Texas. We can drive the change or be driven into it. In order for Texas to continue to be an energy powerhouse, we’ve got to get ahead of the game and create rules for the EV roadways that meet Texas needs.”

“We made some real progress. We stopped some bad bills and made headway on EV charging infrastructure. Texas is poised to take advantage of millions in federal EV infrastructure money with the right policies. Everybody knows what an electric vehicle is these days and Texas currently boasts [7 EV manufacturers](#). It’s become pretty clear that electric transportation can transform this state in jobs, clean air, and continued energy leadership.”

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