

Southwest Energy Efficiency Project

# 2018 LEGISLATIVE ACTIVITY

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**About SWEEP:** The Southwest Energy Efficiency Project is a public interest organization dedicated to advancing energy efficiency and clean transportation in Arizona, Colorado, Nevada, New Mexico, Utah and Wyoming. For more information, visit [www.swenergy.org](http://www.swenergy.org).

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## 2018 LEGISLATIVE ACTIVITY SUMMARY

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In the Southwest region, the state legislatures in Colorado and New Mexico met during the first and second quarters of 2018. The Southwest Energy Efficiency Project (SWEET) actively engaged in each session to advance energy efficiency and clean transportation through sound and effective legislation. These efforts included researching and writing bill language, building coalitions, and testifying at committee hearings to advocate for the passage of energy efficiency and clean transportation legislation.

Support for energy efficiency and clean transportation in the Southwest continues to grow as SWEET actively supported a total five bills, one of which was signed into law.

Significant milestones for clean transportation in our region include the following:

- In Colorado, **SB 18-001** transfers a total of \$645 million from the general fund to transportation during the 2018-19 and 2019-2020 fiscal years, and refers a measure to the ballot in 2019 for \$2.4 billion in transportation bonding. In addition, it removes existing restrictions on cities and counties using state gas tax revenues for public transit operations.

Details on SWEET's 2018 legislative efforts, along with information on the outcome of energy efficiency bills the two states, are described below.

## ARIZONA

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Nothing to report for the 2018 legislative session in Arizona.

## COLORADO

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### Summary of Bills:

<b>SB 18-001</b>	Transportation Infrastructure Funding	Support	PASSED
<b>SB 18-216</b>	Alternative Fuel Vehicles Public Utilities	Support	Failed
<b>SB 18-047</b>	Repeal Tax Credits Innovative Vehicles	Support	Failed

### **SB18-001 - Transportation Infrastructure Funding**

**Sponsors:** Sen. R. Scott, Sen. K. Donovan, Rep. F. Winter, Rep. L. Saine  
Passed

**Bill Summary:** This bill transfers a total of \$645 million from the general fund to transportation during the 2018-19 and 2019-2020 fiscal years, and refers a measure to the ballot in 2019 for \$2.4 billion in transportation bonding. SWEEP supported this bill because it creates a new multimodal transportation options fund that can fund public transit, bicycle and pedestrian infrastructure, and new options such as shared electric vehicles; allocates 15% of the funds to this multimodal fund; allocates 15% of 2018-19 and 2019-20 are allocated to local governments for either road or multimodal transportation; and the bill removes existing restrictions on cities and counties using state gas tax revenues for public transit operations.

SWEEP supported this bill.

**Bill Activity:** SB18-001 passed the Senate and was signed into law by the Governor Hickenlooper on May 31, 2018.

### **SB18-216 - Alternative Fuel Vehicles public utilities**

**Sponsors:** Sen. K. Priola, Sen. A. Williams

**Bill Summary:** SB18-216 would have repealed an existing prohibition on utility ownership of charging and fueling infrastructure; established that there are public benefits to transportation electrification; and articulated a set of standards that the PUC would use to review utility applications for transportation electrification. The bill had bipartisan support, including 3 senate Republican sponsors, but was defeated on a party line vote in the senate transportation committee.

SWEEP supported this bill.

**Bill Activity:** SB18-216 failed in Senate Transportation Committee and was postponed indefinitely.

**SB18-047 - Repeal Tax Credits Innovative Vehicles**

**Sponsors:** Sen. V. Marble, Rep. L. Saine

**Bill Summary:** SB18-047 would have repealed Colorado’s tax credits for electric vehicles, hydrogen vehicles and natural gas vehicles. SWEEP opposed this repeal, as the tax credits have helped make Colorado one of the top 6 markets in the nation for EV market share, with annual growth rates of over 50%.

SWEEP supported this bill.

**Bill Activity:** SB18-047 passed Senate and failed in the House Transportation and Energy Committee.

For additional information regarding these bills, visit the website of the Colorado General Assembly, at <http://leg.colorado.gov/>

**NEVADA**

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The Nevada legislature meets every other year and there was no session in 2018.

**NEW MEXICO**

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**Summary of Bills:**

<b>HJM 15</b>	VW Settlement Funds for Electric Vehicles	Support	Failed
<b>SB-118</b>	Residential Energy Conservation Program	Support	Failed

**HJM 15 - VW Settlement Funds for Electric Vehicles**

**Sponsor:** Nathan P. Small

**Bill Summary:** A joint memorial requesting that the Department of Environment use the money allocated to New Mexico pursuant to the consent decree in the Volkswagen “Clean Diesel” litigation to deploy a light duty zero emission vehicle charging network and to replace medium and heavy duty vehicles with electric vehicles, with priority given to projects that electrify transit systems.

SWEEP supported this bill.

**Bill Activity:** This bill was postponed indefinitely in the House Energy, Environment & Natural Resources Committee.

**SB-118 - Residential Energy Conservation Program**

**Sponsor:** Richard C. Martinez

**Bill Summary:** This bill proposed making an appropriation to expand a residential energy conservation program for low-income persons. One million dollars (\$1,000,000) would be appropriated from the general fund to the department of finance and administration for expenditure in fiscal years 2019 and 2020 for the New Mexico mortgage finance authority to provide for a residential energy conservation program to increase the energy efficiency and reduce energy expenditures of homes occupied by low-income persons in New Mexico. No more than ten percent of this appropriation shall be used for administrative expenses. Any unexpended or unencumbered balance remaining at the end of fiscal year 2020 shall revert to the general fund.

SWEEP supported this bill.

**Bill Activity:** This bill was postponed indefinitely in the Senate Committees' Committee and in the Senate Conservation Committee.

For additional information regarding these bills, visit the website of the New Mexico Legislature, at <https://www.nmlegis.gov/>

## UTAH

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### Summary of Bills:

<b>SB 136</b>	Transportation Governance Amendments	Oppose	PASSED
<b>HCR 07</b>	Concurrent Resolution on Economic and Environmental Stewardship	Support	PASSED

**SB 136 - Transportation Governance Amendments**

**Sponsors:** Senator Wayne Harper and Representative Mike Schultz

**Bill Summary:** This bill imposes new fees on electric and hybrid vehicles, and also allows the Utah Department of Transportation to invest in transit projects and provides a new pathway for local governments to help increase transit funding.

The final bill that passed includes some changes that improved the bill's treatment of electric vehicles. The fees for electric vehicles fell from \$156 to \$120 and are phased in over three years, while the fees from plug-in vehicles fell from \$80 to \$52. Moreover, House Bill 3 - Appropriations Adjustments was passed, directing the Utah Department of Transportation to invest up to \$200,000 (roughly equal to the amount collected through the new fees from EVs each year) in new EV charging infrastructure.

SWEEP and our partner in Utah, Utah Clean Energy, opposed the new registration fees on electric vehicles and Utah Clean Energy led negotiations to lower the EV registration fees and support an appropriation to invest in expanded EV charging infrastructure.

SWEEP opposed this bill.

**Bill Activity:** This bill was passed by the Utah Legislature and signed by Governor Herbert on March 22, 2018.

## **HCR 07 - Concurrent Resolution on Economic and Environmental Stewardship**

**Sponsors:** Representative Rebecca Edwards and Senator Todd Weiler

**Bill Summary:** This House Concurrent Resolution commits the Legislature and the Governor to the “use of sound science to address causes of a changing climate and support innovation and environmental stewardship in order to realize positive solutions.” This represents a significant step forward in our policymaker’s discussion of the challenges that climate change poses and the need for state solutions to reduce greenhouse gas emissions.

SWEEP’s partner in Utah, Utah Clean Energy, supported this Resolution.

**Bill Activity:** This bill was passed by the Utah Legislature and signed by Governor Herbert on March 20, 2018.

For additional information regarding these bills, visit the website of the Utah State Legislature at <https://le.utah.gov/>

## **WYOMING**

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Nothing to report for the 2018 legislative session in Wyoming.