

STATE OF OREGON

Plug-In Electric Vehicle (PEV) Rebate

Short Description:

The Clean Vehicle Rebate Program provides rebates to Oregon residents for the purchase or lease of PEVs. New PEVs with a battery capacity of less than 10 kilowatt-hours (kWh) are eligible for a rebate of \$1,500 and new PEVs with a battery capacity greater than 10 kWh are eligible for a rebate of \$2,500.

Beneficiary: Oregon Residents

Type of Incentive: Cash Rebate

Effective Dates: Current benefit, no sunset date

Value of Benefit: Up to \$2,500

Full Description: The Clean Vehicle Rebate Program provides rebates to Oregon residents for the purchase or lease of PEVs. New PEVs with a battery capacity of less than 10 kilowatt-hours (kWh) are eligible for a rebate of \$1,500 and new PEVs with a battery capacity greater than 10 kWh are eligible for a rebate of \$2,500. Oregon residents that meet low or moderate household income requirements are eligible for rebates of \$2,500 for the purchase or lease of used all-electric vehicles (EVs) and \$5,000 for the purchase or lease of new EVs. For more information, see the website.

State Statutory References: Oregon Law 750.149, 2017

Other Link(s):

Oregon Clean Vehicle Rebate Program Website: <https://www.oregon.gov/deq/air/programs/Pages/ZEV-Rebate.aspx>

Enrolled
House Bill 2017

Sponsored by JOINT COMMITTEE ON TRANSPORTATION PRESERVATION AND MODERNIZATION

CHAPTER

AN ACT

Relating to transportation; creating new provisions; amending ORS 184.610, 184.612, 184.615, 184.617, 184.619, 184.620, 184.621, 184.633, 184.639, 184.649, 184.740, 184.888, 184.891, 305.992, 316.164, 316.169, 316.189, 316.197, 316.202, 316.207, 316.212, 319.020, 319.415, 319.530, 319.885, 319.890, 366.155, 366.462, 366.505, 366.752, 366.772, 366.805, 367.080, 367.082, 367.084, 367.086, 367.620, 367.806, 374.328, 377.841, 468A.275, 646.932, 777.267, 801.041, 801.042, 802.110, 803.090, 803.350, 803.415, 803.420, 803.445, 803.585, 803.645, 805.047, 805.103, 805.105, 805.115, 805.205, 805.222, 805.255, 805.260, 805.263, 805.266, 805.278, 805.283, 818.225, 818.270, 822.043, 822.213, 825.450, 825.476, 825.480 and 826.023 and section 2, chapter 823, Oregon Laws 2009, section 18, chapter 30, Oregon Laws 2010, section 1, chapter 637, Oregon Laws 2015, section 7, chapter 700, Oregon Laws 2015, section 7, chapter 62, Oregon Laws 2017 (Enrolled House Bill 2149), and sections 31 and 32, chapter , Oregon Laws 2017 (Enrolled House Bill 2290); repealing ORS 184.613, 184.616, 184.618, 184.889 and 367.017 and section 17, chapter 63, Oregon Laws 2012, section 6, chapter 62, Oregon Laws 2017 (Enrolled House Bill 2149), and sections 3, 6, 6a, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28, chapter _____, Oregon Laws 2017 (Enrolled House Bill 2290); prescribing an effective date; and providing for revenue raising that requires approval by a three-fifths majority.

Be It Enacted by the People of the State of Oregon:

ACCOUNTABILITY

(Definitions)

SECTION 1. ORS 184.610 is amended to read:

184.610. As used in ORS 184.610 to 184.656, unless the context requires otherwise:

- (1) "Commission" means the Oregon Transportation Commission.
- (2) "Department" means the Department of Transportation.
- (3) "Director" means the Director of Transportation.
- (4) "STIP" means the Statewide Transportation Improvement Program, which is a list of transportation projects that:
 - (a) Are to be implemented within four years following adoption or modification of the list;
 - (b) Are consistent with the long-range transportation plan developed pursuant to ORS [184.618 and with metropolitan plans] **184.617**; and
 - (c) Can be implemented with resources reasonably expected to be available.

majority of the voters voting on the referendum measure, all remaining parts of this 2017 Act shall remain in full force and effect.

**ZERO-EMISSION AND ELECTRIC VEHICLE REBATES
(Rebate Program; Provisions Operative January 1, 2018)**

SECTION 148. As used in sections 148 to 152 of this 2017 Act:

- (1) **“Light-duty zero-emission vehicle” means a motor vehicle that:**
- (a) **Has a gross vehicle weight rating of 8,500 pounds or less;**
 - (b) **Is capable of attaining a speed of 55 miles per hour or more; and**
 - (c) **Is powered:**
 - (A) **Primarily by an electric battery and may or may not use a flywheel energy storage device or a capacitor that also stores energy to assist in vehicle operation.**
 - (B) **By polymer electrolyte membrane fuel cells or proton exchange membrane fuel cells that use hydrogen fuel and oxygen from the air to produce electricity.**
 - (C) **Primarily by a zero-emission energy storage device that provides enough power for the vehicle to travel 75 miles or more using only electricity and may or may not use a backup alternative power unit that does not operate until the energy storage device is fully depleted.**
- (2) **“Motor vehicle” has the meaning given that term in ORS 801.360.**
- (3) **“Person” means a person as defined in ORS 174.100 or a public body as defined in ORS 174.109.**
- (4) **“Plug-in hybrid electric vehicle” means a hybrid electric motor vehicle that:**
- (a) **Has zero evaporative emissions from its fuel system;**
 - (b) **Has an onboard electrical energy storage device with useful capacity of 10 or more miles of urban dynamometer driving schedule range, as described by the United States Environmental Protection Agency, on electricity alone;**
 - (c) **Is equipped with an onboard charger;**
 - (d) **Is rechargeable from an external connection to an off-board electrical source;**
 - (e) **Meets the super ultra-low emission vehicle standards for exhaust emissions, as defined by the Environmental Quality Commission by rule;**
 - (f) **Has a warranty of at least 15 years and 150,000 miles on emission control components;**
- and**
- (g) **Is capable of attaining a speed of 55 miles per hour or more.**
- (5) **“Qualifying vehicle” means a motor vehicle that:**
- (a) **Is a:**
 - (A) **Light-duty zero-emission vehicle; or**
 - (B) **Plug-in hybrid electric vehicle;**
 - (b) **Is new, or has been previously used only as a dealership floor model or test-drive vehicle;**
 - (c) **Has not previously been registered;**
 - (d) **Is constructed entirely from new parts that have never been the subject of a retail sale;**
 - (e) **Has a base manufacturer’s suggested retail price of less than \$50,000;**
 - (f) **Is covered by a manufacturer’s express warranty on the vehicle drive train, including the applicable energy storage system or battery pack, for at least 24 months from the date of purchase; and**
 - (g) **Is certified by the manufacturer to comply with all applicable federal safety standards issued by the National Highway Traffic Safety Administration for new motor vehicles and new motor vehicle equipment.**
- (6)(a) **“Vehicle dealer” means:**
- (A) **A person engaged in business in this state that has been issued a vehicle dealer certificate under ORS 822.020; and**

(B) A person engaged in business in another state that would be subject to ORS 822.005 if the person engaged in business in this state.

(b) Notwithstanding paragraph (a) of this subsection, a person is not a vehicle dealer for purposes of sections 148 to 152 of this 2017 Act to the extent the person:

(A) Conducts an event that lasts less than seven consecutive days, for which the public is charged admission and at which otherwise qualifying vehicles are sold at auction; or

(B) Sells an otherwise qualifying vehicle at auction at an event described in this paragraph.

SECTION 149. (1) The Department of Environmental Quality shall establish a program for providing rebates to persons that purchase qualifying vehicles for use in this state. The Director of the Department of Environmental Quality may hire or contract with a third-party nonprofit organization to implement and serve as the administrator of the program required by this section.

(2) The department may:

(a) Specify design features for the program; and

(b) Establish procedures to:

(A) Prioritize available moneys for specific qualifying vehicles; and

(B) Limit the number of rebates available for each type of qualifying vehicle.

(3) The purchaser or lessee of a qualifying vehicle may apply for a rebate for a portion of the purchase price or may choose to assign the rebate to a vehicle dealer or lessor.

(4) Rebates under the program shall be made from moneys credited to or deposited in the Zero-Emission Incentive Fund established under section 152 of this 2017 Act. A rebate may not be made until there are sufficient moneys available in the fund to make the rebate.

(5) The department shall prescribe the rebate application procedure for purchasers and lessees. All rebate applications must include a declaration under penalty of perjury in the form required by ORCP 1 E.

(6) Rebates for qualifying vehicles shall be set annually by the department as follows:

(a) For light-duty zero-emission vehicles and plug-in hybrid electric vehicles with an electrochemical energy storage capacity of 10 kilowatt hours or more, up to \$2,500 but not less than \$1,500.

(b) For light-duty zero-emission vehicles or plug-in hybrid electric vehicles with an electrochemical energy storage capacity of less than 10 kilowatt hours, up to \$1,500 but not less than \$750.

(7) To be eligible for a rebate, a person requesting a rebate under the program shall:

(a) Purchase or lease a qualifying vehicle. A lease must have a minimum term of 24 months.

(b) Provide proof of an intent to use the qualifying vehicle primarily on the public highways of this state, which may be satisfied by providing proof of registration of the qualifying vehicle in Oregon.

(c) Submit an application for a rebate to the administrator of the program within six months after the date of purchase of the qualifying vehicle or six months after the date the lease of the qualifying vehicle begins.

(d) Retain registration of the qualifying vehicle for a minimum of 24 consecutive months after the date of purchase or the date the lease begins.

(8) A rebate recipient may not make or allow any modifications to the qualifying vehicle's emissions control systems, hardware, software calibrations or hybrid system.

(9) If a rebate recipient intends to sell the qualifying vehicle, or terminate the qualifying vehicle lease before the end of 24 months, the rebate recipient shall notify the administrator of the program of the recipient's intent to sell the vehicle or terminate the lease and shall reimburse the administrator for the entire rebate amount.

(10) Rebate recipients may be requested to participate in ongoing research efforts.

(11) The administrator of the program shall work to ensure timely payment of rebates with a goal of paying rebates within 60 days after receiving an application for a rebate.

(12) A vehicle dealer may advertise the program on the premises owned or operated by the vehicle dealer. If no moneys are available from the program or the program otherwise changes, a vehicle dealer who advertises the program may not be held liable for advertising false or misleading information.

(13) The Environmental Quality Commission may adopt any rules necessary to carry out the provisions of this section.

(Charge Ahead Oregon Program) SECTION 150. (1) As used in

this section:

(a) "Area median income" means the median income for the metropolitan statistical area in which a household is located or, if the household is not located within a metropolitan statistical area, for the metropolitan statistical area in closest proximity to the location of the household, as determined by the Housing and Community Services Department, adjusted for household size.

(b) "Charge ahead rebate" means a rebate for the purchase of a new or used light-duty zero-emission vehicle issued through the Charge Ahead Oregon Program established under this section.

(c) "High-emission passenger motor vehicle" means a motor vehicle that is:

(A) Designed primarily for the transportation of persons; and

(B) Powered by an internal combustion engine that is 20 years old or older.

(d) "Low income household" means a household with income less than or equal to 80 percent of the area median income.

(e) "Moderate income household" means a household with income less than or equal to 120 percent and greater than 80 percent of the area median income.

(2) The Department of Environmental Quality shall establish a Charge Ahead Oregon Program to provide for charge ahead rebates to low income households and moderate income households that voluntarily retire or scrap high-emission passenger motor vehicles and replace those motor vehicles with new or used light-duty zero-emission vehicles. The Director of the Department of Environmental Quality may hire or contract with a third-party nonprofit organization to implement and serve as the administrator of the program required by this section.

(3) The department may:

(a) Specify design features for the program; and

(b) Establish procedures to:

(A) Prioritize available moneys to specific income levels or geographic areas; and

(B) Limit the number of charge ahead rebates available.

(4) An eligible purchaser or lessee of a new or used light-duty zero-emission vehicle may apply for a charge ahead rebate for a portion of the purchase price or may choose to assign the charge ahead rebate to a vehicle dealer or lessor.

(5) Rebates under the Charge Ahead Oregon Program shall be made from moneys credited to or deposited in the Zero-Emission Incentive Fund established under section 152 of this 2017 Act. A rebate may not be made until there are sufficient moneys available in the fund to make the rebate.

(6) The department shall prescribe the rebate application procedure for purchasers and lessees. All rebate applications must include a declaration under penalty of perjury in the form required by ORCP 1 E.

(7) Charge ahead rebates shall be in an amount up to \$2,500, but not less than \$1,250.

(8) To be eligible for a charge ahead rebate, a person requesting a rebate under the program must:

- (a) Be a member of a low income household or a moderate income household.
- (b) Reside in an area of this state that has elevated concentrations of air contaminants commonly attributable to motor vehicle emissions, such as particulate matter, benzene and nitrogen oxides, relative to other areas of the state.
- (c) Document that the person will scrap or otherwise render inoperable a high-emission passenger motor vehicle that, on the date of the rebate application, is registered as operable and has been continuously registered for the last two years.
- (d) Purchase or lease a new or used light-duty zero-emission vehicle. A lease must have a minimum term of 24 months.
- (e) Provide proof of an intent to use the light-duty zero-emission vehicle primarily on the public highways of this state, which may be satisfied by providing proof of registration of the vehicle in Oregon.
- (f) Submit an application for a charge ahead rebate to the administrator of the program within six months of the date of purchase or six months from the date the lease begins.
- (g) Retain registration of the light-duty zero-emission vehicle for a minimum of 24 consecutive months following the date of purchase or following the date the lease begins.
- (9) A person that receives a charge ahead rebate may not make or allow any modifications to the vehicle's emissions control systems, hardware, software calibrations or hybrid system.
- (10) If a charge ahead rebate recipient intends to sell the vehicle, or otherwise terminate the vehicle lease before the end of 24 months, the charge ahead rebate recipient shall notify the administrator of the program of the recipient's intent to sell the vehicle or terminate a lease and shall reimburse the administrator for the entire charge ahead rebate amount.
- (11) Charge ahead rebate recipients may be requested to participate in ongoing research efforts.
- (12) The administrator of the program shall work to ensure timely payment of charge ahead rebates with a goal of paying rebates within 60 days of receiving an application for a charge ahead rebate.
- (13) In establishing the Charge Ahead Oregon Program, the department shall provide opportunities for public comment by low income households, moderate income households and community based organizations that are located in areas of this state that have elevated concentrations of air contaminants attributable to motor vehicle emissions, relative to other areas of the state. The department shall use the comments received pursuant to this subsection to inform, evaluate, and strengthen the design of the program in order to increase the usage of light-duty zero-emission vehicles.
- (14) The administrator of the program shall, throughout the course of implementing the program, conduct community outreach to low income households, moderate income households and community based organizations that are located in areas of this state that have elevated concentrations of air contaminants attributable to motor vehicle emissions, relative to other areas of the state, in order to:
 - (a) Solicit feedback on program implementation; and
 - (b) Take steps to ensure that the program is promoted effectively.
- (15) A vehicle dealer may advertise the Charge Ahead Oregon Program on the premises owned or operated by the vehicle dealer. If no moneys are available from the program or the program otherwise changes, a vehicle dealer who advertises the program may not be held liable for advertising false or misleading information.
- (16) A charge ahead rebate may be combined with a rebate described in section 149 of this 2017 Act.
- (17) An organization that the department has hired or contracted with to implement and serve as the administrator of the program may offer expanded financing mechanisms for program participants, including, but not limited to, a loan or loan-loss reserve credit en-

hancement program to increase consumer access to new or used light-duty zero-emission vehicles.

(18) The Environmental Quality Commission may adopt any rules necessary to carry out the provisions of this section.

(Audits; Reports)

SECTION 151. (1) The Department of Environmental Quality shall periodically audit, or cause to be audited, the programs established under sections 149 and 150 of this 2017 Act to determine whether the programs are being implemented and administered in compliance with the provisions of sections 148 to 152 of this 2017 Act.

(2) No later than September 15 of each even-numbered year, the department shall provide a report to the Legislative Assembly, in the manner provided in ORS 192.245, that includes, at a minimum:

(a) A description of the uses to date of moneys in the Zero-Emission Incentive Fund established under section 152 of this 2017 Act;

(b) An analysis of the effectiveness of the rebate program established under section 149 of this 2017 Act;

(c) An analysis of the effectiveness of the Charge Ahead Oregon Program established under section 150 of this 2017 Act;

(d) Recommendations, which may include recommendations for legislation, on ways to improve the programs established under sections 149 and 150 of this 2017 Act; and

(e) The results of any audits conducted under subsection (1) of this section.

(Zero-Emission Incentive Fund)

SECTION 152. (1) The Zero-Emission Incentive Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the Zero-Emission Incentive Fund shall be credited to the fund.

(2) Moneys in the Zero-Emission Incentive Fund shall consist of:

(a) Amounts donated to the fund;

(b) Amounts transferred to the fund by the Department of Revenue under section 96 of this 2017 Act;

(c) Amounts appropriated or otherwise transferred to the fund by the Legislative Assembly;

(d) Other amounts deposited in the fund from any public or private source; and

(e) Interest earned by the fund.

(3) The Department of Environmental Quality shall encourage gifts, grants, donations or other contributions to the fund.

(4) Moneys in the fund are continuously appropriated to the department to be used to carry out the provisions of sections 148 to 152 of this 2017 Act.

(5) No more than 10 percent of the moneys deposited in the fund per biennium may be expended to pay the expenses incurred in the administration of sections 148 to 152 of this 2017 Act by:

(a) The department; and

(b) Any third-party organization that the department hires or contracts with under sections 149 and 150 of this 2017 Act.

(6) The Environmental Quality Commission may adopt by rule provisions for the allocation of moneys deposited in the fund between the programs established under sections 149 and 150 of this 2017 Act. Rules adopted under this subsection must require that at least 10 percent of the moneys deposited in the fund per biennium are allocated to fund the provision

of rebates through the Charge Ahead Oregon Program established under section 150 of this 2017 Act.

(Rebate Program; Provisions Operative January 1, 2019)

SECTION 153. The amendments to sections 148 and 149 of this 2017 Act by sections 154 and 155 of this 2017 Act become operative January 1, 2019.

SECTION 154. Section 148 of this 2017 Act is amended to read:

Sec. 148. As used in sections 148 to 152 of this 2017 Act:

(1) "Light-duty zero-emission vehicle" means a motor vehicle that:

- (a) Has a gross vehicle weight rating of 8,500 pounds or less;
- (b) Is capable of attaining a speed of 55 miles per hour or more; and
- (c) Is powered:

(A) Primarily by an electric battery and may or may not use a flywheel energy storage device or a capacitor that also stores energy to assist in vehicle operation.

(B) By polymer electrolyte membrane fuel cells or proton exchange membrane fuel cells that use hydrogen fuel and oxygen from the air to produce electricity.

(C) Primarily by a zero-emission energy storage device that provides enough power for the vehicle to travel 75 miles or more using only electricity and may or may not use a backup alternative power unit that does not operate until the energy storage device is fully depleted.

(2) "Motor vehicle" has the meaning given that term in ORS 801.360.

(3) **"Neighborhood electric vehicle" means a low-speed vehicle that:**

- (a) **Is powered using an electric battery;**
- (b) **Has a gross vehicle weight not exceeding 3,000 pounds; and**
- (c) **Has at least four wheels.**

[(3)] (4) "Person" means a person as defined in ORS 174.100 or a public body as defined in ORS 174.109.

[(4)] (5) "Plug-in hybrid electric vehicle" means a hybrid electric motor vehicle that:

- (a) Has zero evaporative emissions from its fuel system;
- (b) Has an onboard electrical energy storage device with useful capacity of 10 or more miles of urban dynamometer driving schedule range, as described by the United States Environmental Protection Agency, on electricity alone;
- (c) Is equipped with an onboard charger;
- (d) Is rechargeable from an external connection to an off-board electrical source;
- (e) Meets the super ultra-low emission vehicle standards for exhaust emissions, as defined by the Environmental Quality Commission by rule;
- (f) Has a warranty of at least 15 years and 150,000 miles on emission control components; and
- (g) Is capable of attaining a speed of 55 miles per hour or more.

[(5)] (6) "Qualifying vehicle" means a motor vehicle that:

- (a) Is a:
 - (A) Light-duty zero-emission vehicle; or
 - (B) Plug-in hybrid electric vehicle;
- (b) Is new, or has been previously used only as a dealership floor model or test-drive vehicle;
- (c) Has not previously been registered;
- (d) Is constructed entirely from new parts that have never been the subject of a retail sale;
- (e) Has a base manufacturer's suggested retail price of less than \$50,000;
- (f) Is covered by a manufacturer's express warranty on the vehicle drive train, including the applicable energy storage system or battery pack, for at least 24 months from the date of purchase;

and

(g) Is certified by the manufacturer to comply with all applicable federal safety standards issued by the National Highway Traffic Safety Administration for new motor vehicles and new motor vehicle equipment.

[(6)(a)] **(7)(a)** “Vehicle dealer” means:

(A) A person engaged in business in this state that has been issued a vehicle dealer certificate under ORS 822.020; and

(B) A person engaged in business in another state that would be subject to ORS 822.005 if the person engaged in business in this state.

(b) Notwithstanding paragraph (a) of this subsection, a person is not a vehicle dealer for purposes of sections 148 to 152 of this 2017 Act to the extent the person:

(A) Conducts an event that lasts less than seven consecutive days, for which the public is charged admission and at which otherwise qualifying vehicles are sold at auction; or

(B) Sells an otherwise qualifying vehicle at auction at an event described in this paragraph.

(8) **“Zero-emission motorcycle” means a motorcycle that:**

(a) **Has zero evaporative emissions from its fuel system;**

(b) **Is capable of attaining a speed of 55 miles per hour or more;**

(c) **Is designed to travel on two wheels; and**

(d) **Is powered by electricity.**

SECTION 155. Section 149 of this 2017 Act is amended to read:

Sec. 149. (1) The Department of Environmental Quality shall establish a program for providing rebates to persons that purchase qualifying vehicles for use in this state. The Director of the Department of Environmental Quality may hire or contract with a third-party nonprofit organization to implement and serve as the administrator of the program required by this section.

(2) The department may:

(a) Specify design features for the program; and

(b) Establish procedures to:

(A) Prioritize available moneys for specific qualifying vehicles; and

(B) Limit the number of rebates available for each type of qualifying vehicle.

(3) The purchaser or lessee of a qualifying vehicle may apply for a rebate for a portion of the purchase price or may choose to assign the rebate to a vehicle dealer or lessor.

(4) Rebates under the program shall be made from moneys credited to or deposited in the Zero-Emission Incentive Fund established under section 152 of this 2017 Act. A rebate may not be made until there are sufficient moneys available in the fund to make the rebate.

(5) The department shall prescribe the rebate application procedure for purchasers and lessees. All rebate applications must include a declaration under penalty of perjury in the form required by ORCP 1 E.

(6) Rebates for qualifying vehicles shall be set annually by the department as follows:

(a) For light-duty zero-emission vehicles and plug-in hybrid electric vehicles with an electrochemical energy storage capacity of 10 kilowatt hours or more, up to \$2,500 but no less than \$1,500.

(b) For light-duty zero-emission vehicles or plug-in hybrid electric vehicles with an electrochemical energy storage capacity of less than 10 kilowatt hours, up to \$1,500 but no less than \$750.

(c) **For neighborhood electric vehicles, up to \$750 but not less than \$375.**

(d) **For zero-emission motorcycles, up to \$750 but not less than \$375.**

(7) To be eligible for a rebate, a person requesting a rebate under the program shall:

(a) Purchase or lease a qualifying vehicle. A lease must have a minimum term of 24 months.

(b) Provide proof of an intent to use the qualifying vehicle primarily on the public highways of this state, which may be satisfied by providing proof of registration of the qualifying vehicle in Oregon.

(c) Submit an application for a rebate to the administrator of the program within six months after the date of purchase of the qualifying vehicle or six months after the date the lease of the qualifying vehicle begins.

(d) Retain registration of the qualifying vehicle for a minimum of 24 consecutive months after the date of purchase or the date the lease begins.

(8) A rebate recipient may not make or allow any modifications to the qualifying vehicle's emissions control systems, hardware, software calibrations or hybrid system.

(9) If a rebate recipient intends to sell the qualifying vehicle, or terminate the qualifying vehicle lease before the end of 24 months, the rebate recipient shall notify the administrator of the program of the recipient's intent to sell the vehicle or terminate the lease and shall reimburse the administrator for the entire rebate amount.

(10) Rebate recipients may be requested to participate in ongoing research efforts.

(11) The administrator of the program shall work to ensure timely payment of rebates with a goal of paying rebates within 60 days after receiving an application for a rebate.

(12) A vehicle dealer may advertise the program on the premises owned or operated by the vehicle dealer. If no moneys are available from the program or the program otherwise changes, a vehicle dealer who advertises the program may not be held liable for advertising false or misleading information.

(13) The Environmental Quality Commission may adopt any rules necessary to carry out the provisions of this section.

(Miscellaneous)

SECTION 156. Rebates may be issued under sections 149 and 150 of this 2017 Act for motor vehicles purchased or leased on or after the effective date of this 2017 Act.

SECTION 157. (1) Sections 148 to 152 of this 2017 Act are repealed on January 2, 2024.

(2) Any moneys remaining in the Zero-Emission Incentive Fund established under section 152 of this 2017 Act on the date of the repeal specified in subsection (1) of this subsection that are unexpended, unobligated and not subject to any conditions shall be transferred by the State Treasurer to the credit of an account of the Department of Environmental Quality to be used for vehicle emission reduction programs.

LOW CARBON FUEL STANDARDS (Provisions Operative January 1, 2018)

SECTION 158. (1) Sections 159 and 161 to 167 of this 2017 Act are added to and made a part of ORS chapter 468A.

(2) ORS 468A.275 is added to and made a part of sections 159 to 167 of this 2017 Act.

SECTION 159. As used in sections 159 to 167 of this 2017 Act:

(1) "Biodiesel" means a motor vehicle fuel consisting of mono-alkyl esters of long chain fatty acids derived from vegetable oils, animal fats or other nonpetroleum resources, not including palm oil.

(2) "Clean fuels program" means the program adopted by rule by the Environmental Quality Commission under ORS 468A.275 (1)(b).

(3) "Compliance period" means the calendar year during which a regulated party must demonstrate compliance with the low carbon fuel standards through participation in the clean fuels program.

(4) "Credit" means a unit of measure generated when a fuel with a carbon intensity that is less than the applicable low carbon fuel standard is produced, imported or dispensed for use in Oregon, such that one credit is equal to one metric ton of carbon dioxide equivalent.

(5) "Credit aggregator" means a person who voluntarily registers to participate in the clean fuels program to facilitate credit generation on behalf of a credit generator and to trade credits with regulated parties, credit generators and other credit aggregators.

(6) "Credit generator" means a person eligible to generate credits by providing fuels for use in Oregon with carbon intensities less than the applicable low carbon fuel standard.

(7) “Deferral” means a delay or change in the applicability of a scheduled applicable low carbon fuel standard for a period of time, accomplished pursuant to an order issued under section 164 or 165 of this 2017 Act.

(8) “Deficit” means a unit of measure generated when a fuel with a carbon intensity that is more than the applicable low carbon fuel standard is produced, imported or dispensed for use in Oregon, such that one deficit is equal to one metric ton of carbon dioxide equivalent.

(9) “Greenhouse gas” has the meaning given that term in ORS 468A.210.

(10) “Low carbon fuel standard” means a standard adopted by the commission by rule under ORS 468A.275 for the reduction of greenhouse gas emissions, on average, per unit of fuel energy.

(11) “Motor vehicle” has the meaning given that term in ORS 801.360.

(12) “Regulated party” means a person responsible for complying with the low carbon fuel standards.

(13) “Small deficit” means a net deficit balance at the end of a compliance period, after retirement of all credits held by a regulated party, that does not exceed a percentage set by the commission by rule of the total number of deficits that the regulated party generated for a compliance period and that may not be greater than 10 percent of the total number of deficits that the regulated party generated for a compliance period.

SECTION 160. ORS 468A.275 is amended to read: 468A.275. [(1)

As used in this section:]

[(a) “Greenhouse gas” has the meaning given that term in ORS 468A.210.]

[(b) “Low carbon fuel standards” means standards for the reduction of greenhouse gas emissions, on average, per unit of fuel energy.]

[(c) “Motor vehicle” has the meaning given that term in ORS 801.360.] [(2)(a)] **(1)**

The Environmental Quality Commission, **by rule:**

(a) Shall adopt [*by rule*] low carbon fuel standards for gasoline, diesel and fuels used as substitutes **or alternatives** for gasoline or diesel[.]; **and**

(b) **Shall adopt a clean fuels program for facilitating compliance with the low carbon fuel standards and for managing and containing the costs of compliance with the low carbon fuel standards, in accordance with the requirements of sections 159 to 167 of this 2017 Act.**

[(b)] **(2)** The commission may adopt [*the following*] **rules** related to the **low carbon fuel** standards, including but not limited to:

[(A)] **(a)** A schedule to phase in implementation of the standards in a manner that reduces the average amount of greenhouse gas emissions per unit of fuel energy of the fuels by 10 percent below 2010 levels by the year 2025 or by a later date if the commission determines that an extension is appropriate to implement the **low carbon fuel** standards;

[(B)] **(b)** Standards for greenhouse gas emissions attributable to the fuels throughout [*their lifecycles*] **the lifecycles of the fuels**, including but not limited to emissions from the production, storage, transportation and combustion of the fuels and from changes in land use associated with the fuels;

[(C)] **(c)** Provisions allowing the use of all types of low carbon fuels to meet the low carbon fuel standards, including but not limited to biofuels, biogas, natural gas, liquefied petroleum gas, gasoline, diesel, hydrogen and electricity;

[(D)] *Standards for the issuance of deferrals, established with adequate lead time, as necessary to ensure adequate fuel supplies;*

[(E)] **(d)** Exemptions for fuels that are used in volumes below thresholds established by the commission;

[(F)] **(e)** Standards, specifications, testing requirements and other measures as needed to ensure the quality of fuels produced in accordance with the low carbon fuel standards, including but not limited to the requirements of ORS 646.910 to 646.923 and administrative rules adopted by the State Department of Agriculture for motor fuel quality; and

[(G)] **(f)** Adjustments to the amounts of greenhouse gas emissions per unit of fuel energy assigned to fuels for combustion and drive train efficiency.

[(c)] **(3)** Before adopting **low carbon fuel** standards under this section, the commission shall consider the low carbon fuel standards of other states[, *including but not limited to Washington,*] for the purpose of determining schedules and goals for the reduction of the average amount of greenhouse gas emissions per unit of fuel energy and the default values for these reductions for applicable fuels.

[(d)] *The commission shall adopt by rule provisions for managing and containing the costs of compliance with the standards, including but not limited to provisions to facilitate compliance with the standards by ensuring that persons may obtain credits for fuels used as substitutes for gasoline or diesel and by creating opportunities for persons to trade credits.*

[(e)] **(4)** The commission shall exempt from the **low carbon fuel** standards any person who imports in a calendar year less than 500,000 gallons of gasoline and diesel fuel, in total. Any fuel imported by persons that are related or share common ownership or control shall be aggregated together to determine whether a person is exempt under this [paragraph] **subsection**.

[(f)(A)] *The commission by rule shall prohibit fuels that contain biodiesel from being considered an alternative fuel under these standards unless the fuel meets the following standards:*

[(i)] *Fuel that consists entirely of biodiesel, designated as B100, shall comply with ASTM D 6751 and shall have an oxidation stability induction period of not less than eight hours as determined by the test method described in European standard EN 15751; and*

[(ii)] *Fuel that consists of a blend of diesel fuel and between 6 and 20 volume percent biodiesel, and designated as biodiesel blends B6 to B20, shall comply with ASTM D 7467 and shall have an oxidation stability induction period of not less than 20 hours as determined by the test method described in European standard EN 15751.*

[(B)] *The commission may adopt rules different from those required under subparagraph (A) of this paragraph if an ASTM or EN standard applicable to biodiesel is approved or amended after March 12, 2015, or if the commission finds that different rules are necessary due to changes in technology or fuel testing or production methods.*

[(C)] *As used in this subsection, “biodiesel” means a motor vehicle fuel consisting of mono-alkyl esters of long chain fatty acids derived from vegetable oils, animal fats or other nonpetroleum resources, not including palm oil.*

[(3)] **(5)** In adopting rules under this section, the [Environmental Quality] commission shall evaluate:

(a) Safety, feasibility, net reduction of greenhouse gas emissions and cost-effectiveness;

(b) Potential adverse impacts to public health and the environment, including but not limited to air quality, water quality and the generation and disposal of waste in this state;

(c) Flexible implementation approaches to minimize compliance costs; and

(d) Technical and economic studies of comparable greenhouse gas emissions reduction measures implemented in other states and any other studies as determined by the commission.

[(4)(a)] *The provisions of this section do not apply to fuel that is demonstrated to have been used in any of the following:*

[(A)] *Motor vehicles registered as farm vehicles under the provisions of ORS 805.300.* [(B)] *Farm tractors, as defined in ORS 801.265.*

[(C)] *Implements of husbandry, as defined in ORS 801.310.*

[(D)] *Motor trucks, as defined in ORS 801.355, used primarily to transport logs.*

[(E)] *Motor vehicles that are not designed primarily to transport persons or property, that are operated on highways only incidentally, and that are used primarily for construction work.*

[(F)] *Watercraft.*

[(G)] *Railroad locomotives.*

[(b)] *The Environmental Quality Commission shall by rule adopt standards for persons to qualify for the exemptions provided in this subsection.*

SECTION 161. (1) The Environmental Quality Commission by rule shall prohibit fuel that consists entirely of biodiesel, designated as B100, from being considered a low carbon fuel under the low carbon fuel standards unless the fuel complies with ASTM D 6751 and has an oxidation stability induction period of not less than eight hours as determined by the test method described in European standard EN 15751.

(2) The commission may adopt rules different from those required under subsection (1) of this section if an ASTM or EN standard applicable to biodiesel is approved or amended after March 12, 2015, or if the commission finds that different rules are necessary due to changes in technology or fuel testing or production methods.

SECTION 162. (1) The clean fuels program adopted by the Environmental Quality Commission by rule under ORS 468A.275 must be designed such that:

(a) Regulated parties generate deficits and may reconcile the deficits, and thus comply with the low carbon fuel standards for a compliance period, by obtaining and retiring credits;

(b) Regulated parties and credit generators may generate credits for fuels used as substitutes or alternatives for gasoline or diesel;

(c) Regulated parties, credit generators and credit aggregators shall have opportunities to trade credits; and

(d) Regulated parties shall be allowed to carry over to the next compliance period a small deficit without penalty.

(2) The Department of Environmental Quality shall, throughout a compliance period, regularly monitor the availability of fuels needed for compliance with the low carbon fuel standards.

(3)(a) Under the clean fuels program, the department shall monthly calculate the volume-weighted average price of credits and, no later than the last day of the month immediately following the month for which the calculation is completed, post the formula and the nonaggregated data the department used for the calculation and the results of the calculation on the department's website.

(b) In completing the calculation required by this subsection, the department may exclude from the data set credit transfers without a price or other credit transfers made for a price that falls two standard deviations outside of the mean credit price for the month. The data posted on the department's website under this section may not include any individually identifiable information or information that would otherwise constitute a trade secret under ORS 192.501.

(4)(a) In addition to the calculation required under subsection (3) of this section, the department shall annually calculate for the preceding calendar year:

(A) The average cost or cost-savings of the low carbon fuel standards per gallon of gasoline and per gallon of diesel; and

(B) The total greenhouse gas emissions reductions attributable to the low carbon fuel standards.

(b) No later than April 15 of each year, the department shall post the formula the department used for the calculations required by this subsection and the results of the calculations on the department's website.

(c) The State Department of Agriculture shall furnish the formula and results of the calculations required by this subsection to each gas station in this state to facilitate compliance by gas station owners or operators with ORS 646.932.

SECTION 163. (1) The division of the Oregon Department of Administrative Services that serves as office of economic analysis shall annually coordinate with the Department of Environmental Quality to develop a fuel supply forecast to project the availability of fuels to Oregon necessary for compliance with the low carbon fuel standards. The fuel supply forecast shall include, but need not be limited to, the following with reference to the next compliance period of the clean fuels program:

(a) An estimate of the potential volumes of gasoline, gasoline substitutes and gasoline alternatives and diesel, diesel fuel substitutes and diesel alternatives available to Oregon;

(b) An estimate of the total banked credits and carried over deficits held by regulated parties, credit generators and credit aggregators at the beginning of the compliance period and an estimate of the total credits attributable to fuels described in paragraph (a) of this subsection;

(c) An estimate of the credits needed to meet the scheduled applicable low carbon fuel standard during the forecast compliance period; and

(d) A comparison of the estimates under paragraphs (a) and (b) of this subsection with the estimate under paragraph (c) of this subsection to indicate the availability of fuels needed for compliance with the low carbon fuel standards.

(2) In developing the estimate required under subsection (1)(a) of this section, the division shall consider, but need not be limited to considering:

(a) Constraints that may be preventing access to available and cost-effective low carbon fuels by Oregon, such as geographic and logistical factors, and alleviating factors to the constraints; and

(b) The existing and future vehicle fleet in Oregon.

(3) The division may appoint, in coordination with the Department of Environmental Quality, a forecast review team of relevant experts to participate in the fuel supply forecast or examination of data required by this section. The team may perform any functions assigned by the division, including but not limited to consulting on the design of the forecast. The forecast required by this section must be completed and provided to the department no later than 90 calendar days before the commencement of the compliance period for which the forecast is developed.

SECTION 164. (1) No later than 30 calendar days before the commencement of a compliance period, the Department of Environmental Quality shall issue an order declaring a forecast deferral if the fuel supply forecast developed under section 163 of this 2017 Act projects that the amount of credits that will be available during the forecast compliance period will be less than 100 percent of the credits projected to be necessary for regulated parties to comply with the scheduled applicable low carbon fuel standard for the forecast compliance period.

(2) An order declaring a forecast deferral under this section must set forth:

(a) The duration of the forecast deferral;

(b) The types of fuel to which the forecast deferral applies; and

(c) Which of the following methods the department has selected for deferring compliance with the scheduled applicable low carbon fuel standard during the forecast deferral:

(A) Temporarily adjusting the scheduled applicable low carbon fuel standard to a standard identified in the order that better reflects the forecast availability of credits during the forecast compliance period and requiring regulated parties to comply with the temporary standard;

(B) Requiring regulated parties to comply only with the low carbon fuel standard applicable during the compliance period prior to the forecast compliance period; or

(C) Suspending deficit accrual for part or all of the forecast deferral period.

(3)(a) In implementing a forecast deferral, the department may take an action for deferring compliance with the low carbon fuel standard other than, or in addition to, selecting a method under subsection (2)(c) of this section only if the department determines that none of the methods under subsection (2)(c) of this section will provide a sufficient mechanism for containing the costs of compliance with the low carbon fuel standards during the forecast deferral.

(b) If the department makes the determination specified in paragraph (a) of this subsection, the department shall:

(A) Include in the order declaring a forecast deferral the determination and the action to be taken; and

(B) Provide written notification and justification of the determination and the action to:

(i) The Governor;

(ii) The President of the Senate;

(iii) The Speaker of the House of Representatives;

(iv) The majority and minority leaders of the Senate; and

(v) The majority and minority leaders of the House of Representatives.

(4) The duration of a forecast deferral may not be less than one calendar quarter or longer than one compliance period. Only the Environmental Quality Commission may terminate, by order, a forecast deferral before the expiration date of the forecast deferral. Termination of a forecast deferral is effective on the first day of the next calendar quarter after the date that the order declaring the termination is adopted.

SECTION 165. (1) The Department of Environmental Quality shall issue an order declaring an emergency deferral:

(a) No later than 15 calendar days after the date that the department determines that:

(A) There is a known shortage of a fuel or low carbon fuel that is needed for regulated parties to comply with the low carbon fuel standard; and

(B) The magnitude of the shortage of that fuel is greater than the equivalent of five percent of the amount of the fuel forecasted to be available during the effective compliance period; or

(b) Immediately upon the issuance by the Governor of a proclamation, executive order or directive pursuant to ORS 176.750 to 176.815 declaring an energy emergency due to a shortage of gasoline or diesel.

(2) An order declaring an emergency deferral under this section must set forth:

(a) The duration of the emergency deferral;

(b) The types of fuel to which the emergency deferral applies; and

(c) Which of the following methods the department has selected for deferring compliance with the scheduled applicable low carbon fuel standard during the emergency deferral:

(A) Temporarily adjusting the scheduled applicable low carbon fuel standard to a standard identified in the order that better reflects the availability of credits during the emergency deferral and requiring regulated parties to comply with the temporary standard;

(B) Allowing for the carryover of deficits accrued during the emergency deferral into one or more future compliance periods without penalty; or

(C) Suspending deficit accrual during the emergency deferral period.

(3)(a) In implementing an emergency deferral, the department may take an action for deferring compliance with the low carbon fuel standard other than, or in addition to, selecting a method under subsection (2)(c) of this section only if the department determines that none of the methods under subsection (2)(c) of this section will provide a sufficient mechanism for containing the costs of compliance with the low carbon fuel standards during the emergency deferral.

(b) If the department makes the determination specified in paragraph (a) of this subsection, the department shall:

(A) Include in the order declaring an emergency deferral the determination and the action to be taken; and

(B) Provide written notification and justification of the determination and the action to:

(i) The Governor;

(ii) The President of the Senate;

(iii) The Speaker of the House of Representatives;

(iv) The majority and minority leaders of the Senate; and

(v) The majority and minority leaders of the House of Representatives.

(4)(a) Except as provided in paragraph (b) of this subsection, the duration of an emergency deferral:

(A) Implemented using the method described in subsection (2)(c)(A) of this section may not be less than one calendar quarter; and

(B) Implemented using a method described in subsection (2)(c)(B) or (C) or subsection (3) of this section may not be less than 30 calendar days.

(b) An emergency deferral may not continue past the end of the compliance period during which the emergency deferral is issued.

(c) An emergency deferral may be terminated prior to the expiration date of the emergency deferral only if new information becomes available indicating that the shortage for which the emergency deferral was issued has ended. Only the Environmental Quality Commission may terminate, by order, an emergency deferral before the expiration date of the emergency deferral. Termination of an emergency deferral is effective 15 calendar days after the date that the order declaring the termination is adopted.

SECTION 166. (1) The clean fuels program adopted by the Environmental Quality Commission by rule under ORS 468A.275 must include provisions necessary for the Department of Environmental Quality to hold credit clearance markets as a means to facilitate compliance with the low carbon fuel standards.

(2)(a) The department shall hold a credit clearance market for any compliance period in which at least one regulated party reports that the regulated party has a net deficit balance at the end of the compliance period, after retirement of all credits held by the regulated party, that is greater than a small deficit. A regulated party described by this paragraph is required to participate in the credit clearance market.

(b) If a regulated party has a small deficit at the end of a compliance period, the regulated party shall notify the department that it will achieve compliance with the low carbon fuel standard during the compliance period by either:

(A) Participating in a credit clearance market; or

(B) Carrying forward the small deficit.

(3) For purposes of administering a credit clearance market required by this section, the department shall:

(a) Allow any regulated party, credit generator or credit aggregator that holds excess credits at the end of a compliance period to voluntarily participate in the credit clearance market as a seller by pledging a specified number of credits for sale in the market.

(b) Require each regulated party participating in the credit clearance market as a purchaser of credits to:

(A) Have retired all credits in the party's possession prior to participating in the credit clearance market; and

(B) Purchase the specified number of the total pledged credits that the department has determined are that party's pro rata share of the pledged credits.

(c) Require all sellers to:

(A) Agree to sell pledged credits at a price no higher than a maximum price for credits;

(B) Accept all offers to purchase pledged credits at the maximum price for credits; and

(C) Agree to withhold any pledged credits from sale outside the credit clearance market until the credit clearance market is closed.

(4)(a) The commission shall set the maximum price for credits in a credit clearance market, which may not exceed \$200 for 2018.

(b) For 2019 and subsequent years, the maximum price for credits may exceed \$200, but only to the extent that a greater maximum price for credits is necessary to annually adjust for inflation, beginning on January 1, 2019, pursuant to the increase, if any, from the preceding calendar year in the West Region Consumer Price Index for All Urban Consumers for All Items, as published by the Bureau of Labor Statistics of the United States Department of Labor.

This does not constitute tax advice. All persons considering use of available incentives should consult with their own tax professional to determine eligibility, specific amount of benefit available, if any, and further details.

(5) **A regulated party that has a net deficit balance after the close of a credit clearance market:**

(a) **Must carry over the remaining deficits into the next compliance period; and**

(b) **May not be subject to interest greater than five percent, penalties or assertions of noncompliance that accrue based on the carryover of deficits under this subsection.**

(6) **If a regulated party has been required under subsection (2) of this section to participate as a purchaser in two consecutive credit clearance markets and continues to have a net deficit balance after the close of the second consecutive credit clearance market, the Department of Environmental Quality shall complete, no later than two months after the close of the second credit clearance market, an analysis of the root cause of the inability of the regulated party to retire the remaining deficits. The department may recommend and implement any remedy that the department determines is necessary to address the root cause identified in the analysis, including but not limited to issuing a deferral, provided that the remedy implemented does not:**

(a) **Require the regulated party to purchase credits for an amount that exceeds the maximum price for credits in the most recent credit clearance market; or**

(b) **Compel a person to sell credits.**

(7) **If credits sold in a credit clearance market are subsequently invalidated as a result of fraud or any other form of noncompliance on the part of the generator of the credit, the department may not pursue civil penalties against, or require credit replacement by, the regulated party that purchased the credits unless the regulated party was a party to the fraud or other form of noncompliance.**

(8) **The department may not disclose the deficit balances or pro rata share purchase requirements of a regulated party that participates in the credit clearance market.**

SECTION 167. (1) **In addition to rules adopted under ORS 468A.275 and section 161 of this 2017 Act, the Environmental Quality Commission may adopt rules necessary to carry out the provisions of sections 159 to 167 of this 2017 Act, including but not limited to standards for persons to qualify for exemptions provided for in subsection (2) of this section.**

(2) **The provisions of sections 159 to 167 of this 2017 Act do not apply to fuel that is demonstrated to have been used in any of the following:**

(a) **Motor vehicles registered as farm vehicles under the provisions of ORS 805.300.**

(b) **Farm tractors, as defined in ORS 801.265.**

(c) **Implements of husbandry, as defined in ORS 801.310.**

(d) **Motor trucks, as defined in ORS 801.355, used primarily to transport logs.**

(e) **Motor vehicles that are not designed primarily to transport persons or property, that are operated on highways only incidentally and that are used primarily for construction work.**

(f) **Watercraft.**

(g) **Railroad locomotives.**

(Provisions Operative January 1, 2019)

SECTION 168. **The amendments to section 165 of this 2017 Act by section 169 of this 2017 Act become operative on January 1, 2019.**

SECTION 169. Section 165 of this 2017 Act is amended to read:

Sec. 165. (1) **The Department of Environmental Quality shall issue an order declaring an emergency deferral:**

(a) **No later than 15 calendar days after the date that the department determines that:**

(A) **There is a known shortage of a fuel or low carbon fuel that is needed for regulated parties to comply with the low carbon fuel standard; and**

(B) **The magnitude of the shortage of that fuel is greater than the equivalent of five percent of the amount of the fuel forecasted to be available during the effective compliance period; or**

Dear Oregon Resident,

Thank you for your interest in the Oregon Clean Vehicle Rebate Program!

Please read the rebate application form and all Terms and Conditions carefully. The Oregon Clean Vehicle Rebate Program provides rebates toward the purchase or lease of qualifying new and used electric vehicles when all program terms and conditions are met and when DEQ has appropriate funding to pay for all rebates. Currently, the Oregon State Legislature has approved the Oregon Clean Vehicle Rebate Program for two rebate options:

- Standard rebate for the purchase or lease of an eligible **new** electric vehicle. Electric vehicles can be battery electric vehicles or plug-in hybrid electric vehicles. Rebate amounts are:
 - \$2,500 for a new electric vehicle with a battery capacity of 10 kWh or more
 - \$1,500 for a new electric vehicle with a battery capacity of less than 10 kWh
 - \$750 for a new zero-emission electric motorcycle

- Charge Ahead rebate for the purchase or lease of a **new or used battery electric vehicle**. Plug-in hybrid electric vehicles are **not** eligible for the Charge Ahead rebate. The vehicle must be purchased through a certified vehicle dealer or an original equipment manufacturer, no person-to-person sales are eligible. The rebate amount is \$2,500. You must be a low- or moderate-income household to qualify for this rebate. More details about this rebate will be available in summer 2019.
 - If you purchase or lease a new, battery electric vehicle that qualifies for a Charge Ahead rebate and the vehicle also qualifies for a Standard rebate, you may combine the Charge Ahead rebate with the Standard rebate for up to a total rebate of \$5,000.

Summary:

IF you purchase(d) ...	AND your household income is...	THEN you are eligible for the following rebate(s):
An eligible NEW electric vehicle on the Standard rebate list	Any amount	Standard rebate (\$750-\$2,500, depending on vehicle specifications)
A NEW battery electric vehicle on the Charge Ahead rebate list	Low- or moderate-income	Standard rebate AND Charge Ahead rebate (Up to \$5,000)
A USED battery electric vehicle on the Charge Ahead rebate list	Low- or moderate-income	Charge Ahead rebate ONLY (\$2,500)

This application will put you into the processing pool for the Standard rebate. DEQ will start issuing rebate checks in this year. In addition, if you indicate that you may be eligible for the Charge Ahead rebate, DEQ will request more information from you later in 2019 to complete the Charge Ahead rebate application process.

Please note that this form is for new applicants. For applicants who already submitted a Phase 1 application, DEQ has either already sent or will be sending you a Phase 2 application. Applicants who submitted a Phase 1 application should not submit this General Rebate application, but instead, should submit the Phase 2 application when they receive it in accordance with the instructions on that form.

How to apply:

1. Read the Terms and Conditions carefully (pages 3-5).
2. Fill out and sign the General Rebate application (pages 6-9).
 - a. If you think you are eligible for the Charge Ahead rebate, please visit the Income Eligibility Calculator on our website, and fill out Part 3A of this application.
3. Submit a copy of the following (more details in the Terms and Conditions):
 - a. A current Oregon driver's license or other proof of Oregon residency (for individuals) or a copy of a local business license, articles of incorporation or other formation document filed with the Oregon Secretary of State (for business, non-profit and government agency applicants);
 - b. An executed and signed sales or lease contract; and
 - c. Proof of temporary or permanent Oregon vehicle registration for the vehicle listed in the application.
4. Mail your completed General Rebate application packet to:
Oregon DEQ-OCVRP
Attn: Rebate
700 NE Multnomah St, Suite 600
Portland, OR 97232

If you have questions about the terms & conditions or about filling out the application, please contact us at CleanCars@deq.state.or.us.

GENERAL APPLICATION

Oregon Clean Vehicle Rebate Program Terms & Conditions

PART 1: REBATE PROCESS

The applicant must be the individual, business, non-profit, or government agency who purchased or leased the qualifying vehicle. By signing this application, the applicant agrees to the program Terms and Conditions.

DEQ will issue rebates to applicants who meet all of the program Terms and Conditions, as laid out in this agreement, in OAR Chapter 340, Division 270, and under Oregon law, so long as DEQ has appropriate funding to pay for all rebates. To apply for a rebate:

1. If you (the applicant) previously submitted a Phase 1 application, please fill out the “Phase 2 Rebate Application Form” when you receive that form from DEQ. **This application form is only for applicants who have not completed a Phase 1 application.**
2. If you have not previously submitted a Phase 1 Application, you must submit this application and documentation within six (6) months after the purchase or lease of the vehicle for which you would like to receive a rebate.
3. For security purposes, supporting documents that are sent on removable media (flash drives, CDs, DVDs, etc.) will not be accepted. Because of security and privacy concerns, emailed applications are not supported at this time.
4. Required documentation will include, at a minimum, all the following:
 - A. **The application**, signed by the applicant or an authorized representative.
 - B. **Proof of temporary or permanent vehicle registration for the vehicle listed in the application.** The applicant’s name must be on the registration, and the registration must be current (not expired).
 - C. **A complete copy of the vehicle sales or lease contract.** A complete contract is a contract that is executed and signed. It includes an itemization of credits, discounts, and incentives received, if applicable. The applicant’s name and the name of the dealership must be listed on the contract.
 - D. **Proof of Oregon residency** (for individuals only):
 - I. A copy of the applicant’s current (not expired) Oregon driver’s license.
 - II. Individuals who do not have an Oregon driver’s license will be required to provide proof of Oregon residency in the form of a utility or cable bill within the last 3 months, a copy of the current DMV registration of another vehicle in the name of the purchaser or lessee, a signed, dated, and notarized residential rental agreement, or other valid form of demonstrating Oregon residency as approved by DEQ.

E. Proof of Oregon residency (for businesses, non-profits, or government agencies). A copy of a local business license, articles of incorporation, or other formation document filed with the Oregon Secretary of State.

5. Applicants must provide any additional information and documentation requested by DEQ or its designee that is necessary to ascertain that the applicant qualifies for a rebate.

DEQ will reject applications that do not meet applicable program requirements. DEQ will provide a written explanation of all rejections. Rebate applicants who are rejected may appeal the decision directly to DEQ within 60 days of the date of the rejection. The appeal letter must set forth all facts that form the basis for the appeal.

DEQ will respond to all appeals of a rebate rejection in writing. If the only basis for an appeal is that the applicant disagrees with the policies set forth in the Terms and Conditions and Oregon Administrative Rule 340-270, DEQ will deny the appeal. DEQ's response will constitute an order in other than a contested case.

PART 2: APPLICANT AND VEHICLE REQUIREMENTS

As a condition for receiving a rebate, you must comply with the Terms and Conditions below and any other requirements imposed by law. The Terms and Conditions below and any other legal requirements apply even if you assign your rebate to a vehicle dealer, which could result in rebate funds being paid to you directly from the dealer (either in cash, as a credit towards the price on your vehicle, or in any other form), who may then apply to be reimbursed by DEQ. You are responsible for reviewing the program requirements prior to applying for a rebate.

An applicant will only receive a rebate if they meet requirements that include, but are not limited to, the following:

1. Applicant purchased or leased a vehicle **on or after Jan. 1, 2018**. Zero-emission electric motorcycles must have been purchased or leased on or after Jan. 1, 2019;
2. Applicant who leased a vehicle has a minimum lease term of 24 months;
3. Applicant is an Oregon resident at the time of vehicle purchase or lease or a business, non-profit, or state or municipal agency that is based in Oregon or has an Oregon-based affiliate at the time the eligible vehicle is purchased or leased;
4. Applicant purchased or leased a vehicle with a base manufacturer's suggested retail price of less than \$50,000;
5. Applicant purchased or leased a vehicle from a certified vehicle dealer or an original equipment manufacturer. If a vehicle is purchased through an original equipment manufacturer, the manufacturer cannot have any licensed, franchised, new automobile dealers in Oregon.
6. Applicant's vehicle meets program requirements that include:
 - A. For **new vehicles** – Vehicles are eligible only if the vehicles have not been previously registered with the Oregon Department of Motor Vehicles. Vehicles that were previously used as dealership floor models and test drive vehicles (demo vehicles) are eligible for a rebate only if they have not been previously registered with the Oregon Department of Motor Vehicles.
 - B. For **used vehicles** – Vehicles are eligible only if they would have been eligible for a rebate at the time of original sale or lease had the rebate program existed;

7. Applicant submits a rebate application within six (6) months after the date of purchase or lease. For the purposes of the program, the date of purchase is the day of sale. A sale is deemed completed when the purchaser of the vehicle has executed and signed a purchase contract or security agreement. For the purposes of the program, a vehicle is deemed to be leased on the date which the lease agreement is signed;
8. Applicant certifies that they will not make or allow any modifications to the vehicle's emissions control systems, hardware, software calibrations, or hybrid system;
9. Applicant certifies that they will retain registration of the vehicle for a minimum of 24 consecutive months immediately after the vehicle purchase or lease date;
10. Applicant certifies that they will be available for follow-up inspection if requested by DEQ, or DEQ's designee for project oversight and accountability; and
11. Applicant certifies that they will participate in ongoing research efforts and surveys that support the program goals, upon request from DEQ.

Rebate recipients who do not retain the eligible vehicle for the full 24-month ownership or lease period will be required to reimburse DEQ the full amount of the original rebate.

1. Vehicle purchaser or lessee is required to notify DEQ and reimburse DEQ for the entire rebate amount under certain conditions.
2. DEQ or an approved contractor will periodically check vehicle identification numbers with vehicle registrations to ensure that program recipients meet this requirement. If a recipient violates this requirement, DEQ or its designee reserves the right to recoup funds from the vehicle purchaser or lessee identified on the rebate application form and may pursue other remedies available under the law.

For business, non-profit, and government agency applicants:

In addition to all the Terms and Conditions noted above, organizational fleet applicants must also agree to submit annual vehicle usage reports to DEQ or its designee for all rebated vehicles for a period of at least 36 months. Required data may include but is not limited to mileage reporting, annual fuel use by fuel type, and percentage of operation within disadvantaged communities. Other statutory or regulatory limitations or requirements may apply to organizational fleet applicants.

If you have questions about the Terms and Conditions, or about filling out the application, please contact us at CleanCars@deq.state.or.us.



FOR INTERNAL USE ONLY
OCVRP APPLICATION NUMBER:

Oregon Clean Vehicle Rebate Program GENERAL APPLICATION FORM

All information is required unless otherwise noted. Failure to complete all required information will result in your application being delayed or rejected. Please print legibly.

PART 3: APPLICANT INFORMATION

APPLICANT TYPE	
PLEASE SELECT ONE: <input type="checkbox"/> Individual* * Sole proprietorships must apply as an individual <i>(If you select "individual" as applicant type, please proceed to the next step.)</i>	<input type="checkbox"/> Business <input type="checkbox"/> Local Government Agency <input type="checkbox"/> Non-Profit Organization <input type="checkbox"/> State Government Agency <input type="checkbox"/> Federal Government Agency <i>(If you select any applicant type other than "Individual," please proceed to Part 4b)</i>

PART 3A: APPLICANT TYPE - INDIVIDUAL

APPLICANT INFORMATION		
TITLE: (circle one) Dr. Mr. Mrs. Ms. Mx. Other _____		
FIRST NAME:	LAST NAME:	
PHONE:	EMAIL:	
STREET ADDRESS: <i>(where the car is registered)</i>		
CITY:	STATE:	ZIP CODE:
MAILING ADDRESS: <i>(Enter only if different from address above)</i>		
CITY:	STATE:	ZIP CODE:

PART 3A (CONTINUED). CHARGE AHEAD REBATE OPT-IN (OPTIONAL)

The Charge Ahead rebate is an additional rebate available for low- and moderate income households. The Charge Ahead rebate is available for the purchase or lease of a new or used, battery electric vehicle in Oregon. Plug-in hybrid electric vehicles are not eligible for the Charge Ahead rebate.

To qualify for the Charge Ahead rebate you must:

- Meet the low- and moderate-income levels in your household for your area. To determine income levels for your area, please use the **Income Eligibility Calculator** on our [website](#).
- Purchase or lease a new or used battery electric vehicle that meets the requirements established for the Charge Ahead rebate;
 - I believe I am eligible for the Charge Ahead rebate, based on my household income and vehicle purchase or lease.
 - I acknowledge I will not receive a Charge Ahead rebate until I submit additional income verification information, which will be requested by DEQ at a later date.

PART 3B: APPLICANT TYPE – BUSINESS, NON-PROFIT OR GOVERNMENT AGENCY

FLEET VEHICLE?		
PLEASE SELECT ONE:		
<input type="checkbox"/> Yes, car share/rental vehicle	<input type="checkbox"/> Yes, public fleet vehicle	<input type="checkbox"/> No, not a fleet vehicle

APPLICANT INFORMATION		
FIRST NAME: <i>(Authorized representative)</i>	LAST NAME: <i>(Authorized representative)</i>	
NAME OF VEHICLE OWNER / LESSEE: <i>(as it appears on the vehicle Purchase or Lease Agreement)</i>		
PHONE:	EMAIL:	
STREET ADDRESS: <i>(where the car is registered)</i>		
CITY:	STATE:	ZIP CODE:
MAILING ADDRESS: <i>(Enter only if different from address above)</i>		
CITY:	STATE:	ZIP CODE:

PART 4: VEHICLE INFORMATION

VEHICLE INFORMATION		
MAKE:	MODEL:	
YEAR:	VIN:	
PURCHASE OR LEASE? <input type="checkbox"/> PURCHASE (SELECT ONE) <input type="checkbox"/> LEASE	IF LEASE, LENGTH OF LEASE TERM IN MONTHS: <input type="text"/> <i>Leased vehicles with lease terms less than 24 months are ineligible to participate in the program.</i>	
	DATE OF PURCHASE OR LEASE START DATE: <input type="text"/> <i>Please refer to the date on your Purchase or Lease Agreement.</i>	

DEALERSHIP INFORMATION (OPTIONAL):	
DEALERSHIP NAME:	DEALERSHIP PHONE:
DEALERSHIP CONTACT PERSON:	DEALER CONTACT TITLE:

PART 5. INFORMATION QUESTIONS
How important were each of the following in making it possible for you to acquire your clean vehicle?
Manufacturer or Dealer Incentives (e.g. low interest rate, cash back) <ul style="list-style-type: none"> <input type="checkbox"/> Not applicable <input type="checkbox"/> Not at all important <input type="checkbox"/> Slightly important <input type="checkbox"/> Moderately important <input type="checkbox"/> Very important <input type="checkbox"/> Extremely important

PART 5. INFORMATION QUESTIONS

Oregon Clean Vehicle Program rebate

- Not applicable
- Not at all important
- Slightly important
- Moderately important
- Very important
- Extremely important

Parking incentives (employer, business, or government)

- Not applicable
- Not at all important
- Slightly important
- Moderately important
- Very important
- Extremely important

Availability of car rental/car share (e.g. Zipcar) as part of purchase?

- Not applicable
- Not at all important
- Slightly important
- Moderately important
- Very important
- Extremely important

PART 6. SIGNATURE

By signing this application, the purchaser or lessee agrees to the following:

1. I intend to keep the registration of the vehicle in Oregon for a minimum of 24 months after the purchase or lease date and intend to maintain ownership or possession of the vehicle for a minimum of 24 months.
2. I will be available for follow-up inspection if requested by DEQ, or DEQ's designee, for project oversight and accountability.
3. I will participate in ongoing research efforts and surveys that support program goals, upon request from DEQ or its designee.
4. I will not make or allow any modifications to the vehicle's emissions control systems, hardware, software calibrations, or hybrid system.
5. I will contact DEQ and pay back rebate funds received if, at any point, circumstances change and any of the above Terms and Conditions are not met. A change in circumstances that requires me to contact DEQ and pay back rebate funds includes if I sell the vehicle for which I receive a rebate or terminate the lease before the expiry of the 24-month period, do not retain the registration in Oregon for the required 24 month period, or make or allow any modifications to the vehicle's emissions control systems, hardware, software calibrations, or hybrid system. **I am aware that if I assign my rebate to the vehicle dealer but a change in circumstances occurs or any of the Terms and Conditions of the program are not met, I am responsible for contacting DEQ and paying back the rebate funds.**
6. I understand that DEQ reserves all rights and remedies available under the law to enforce the Terms and Conditions of this application and to enforce the statutes and regulations establishing the program.
7. I acknowledge that I have read and understand, and agree to be bound by, the Terms and Conditions as outlined within this application and the statutes and regulations establishing the program.
8. I acknowledge that if I owe any monies owed to the State of Oregon, I may not receive a rebate check until the monies are repaid.

PART 6. SIGNATURE

9. I choose to voluntarily submit personally-identifying information for the purposes of processing my rebate and enforcing the program Terms and Conditions. DEQ does not share your personal information with any third party that is not involved in the rebate application process, except as required by the Public Records Law. Information that I provide but that does not identify me personally may be included and aggregated with other consumers' information for statistical reporting. If my application requires direct involvement of the DEQ, DEQ may refer my personal information to its representative

I certify under penalty of perjury that the information provided in this application and supporting documentation is accurate.

Signature of Applicant
or Authorized Representative: _____ Date: _____

Mail this signed application form along with your supporting documents to:

Oregon DEQ-OCVRP
Attn: Rebate
700 NE Multnomah St, Suite 600
Portland, OR 97232

Alternative formats

DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email deqinfo@deq.state.or.us.