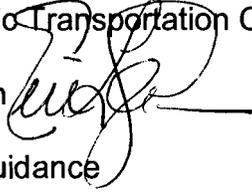




# MEMORANDUM

**TO:** District Public Transportation Coordinators      **DATE:** February 28, 2007  
**FROM:** Eric Gleason   
**SUBJECT:** Clean Air Guidance

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The Department has required the procurement of alternatively-fueled public transportation vehicles since July 2001. In November of 2006, the Texas Transportation Commission received a report identifying this requirement as a barrier to the coordination of public transportation and health and human service transportation programs. The report listed some operational problems in using liquefied petroleum gas (LPG) vehicles, such as limited range. But the most significant problem mentioned was the tremendous maintenance expense and down time associated with repeated LPG conversion system part failures in the most commonly available conversion system.

Some flexibility may now be afforded thru revisions to the public transportation coordination statute in Transportation Code, Chapter 461.001 (a) (3), designed "*to further the state's efforts to reduce air pollution*" and thru 461.005 (c), which provides that "*The department may require that all or a percentage of the vehicles used to provide public transportation services comply with specified emissions standards. The standards may vary among geographic areas based on the need of each area to reduce levels of air pollution. This subsection does not apply to an authority created under Chapter 451, 452, 453, or 460.*"

Advances in engine technology and flexibility in state law present the department with an opportunity to revise the requirement to purchase alternatively-fueled vehicles. Accordingly, the Department issues the following new guidance:

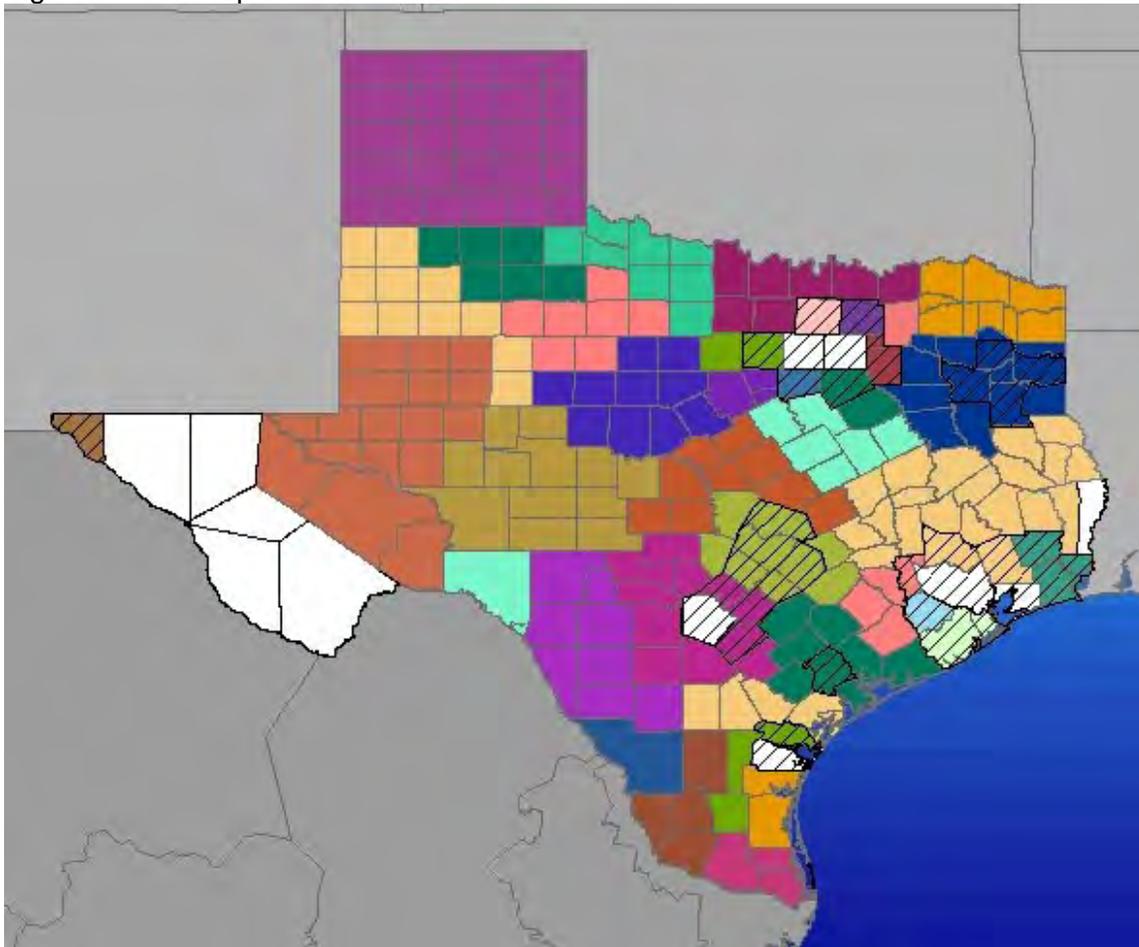
- the following emission goals are established without regard to the fuel used - in areas affected by the State Implementation Plan for clean air (SIP) (see Figure 1), ultra-low emission vehicles (ULEV) shall be purchased, and elsewhere in the state, low emission vehicles (LEV) shall be purchased;
- public transportation agencies operating in areas affected by the SIP are also required to participate in local SIP compliance efforts; and
- a waiver to these requirements will be considered by the Department.

This new guidance responds to concerns identified in the Regional Coordinated Planning "Barriers & Constraints" report provided to the Commission at their November 2006 meeting. It is consistent with statutory requirements and allows advances in technology to be recognized as they are developed.

With respect to the existing fleet, we expect vehicles to be run on the fuel specified in accordance with the program guidance that was in place at that time the vehicle was purchased, although we will consider exceptions on a case-by-case basis. We will continue to develop training and technical assistance programs in cooperation with the Texas Railroad Commission and other partners to support the operation of alternatively-fueled vehicles, and we are testing new LPG conversion systems to determine their suitability for public transportation service.

Please share this information with public transportation agencies in your district as appropriate. If you have any questions, please contact Paul Moon at (512) 416-2825.

Figure 1. Map of Rural Transit Districts



- Colors Indicate Rural Transit Districts
- Diagonal hash marks indicate counties in State Implementation Plan (SIP) for air quality attainment (current as of January 31, 2007)

cc: PTN-Administration