LEGISLATIVE COMMITTEE MINUTES

SB186

Bill as Introduced

SB 186-FN - AS INTRODUCED

2023 SESSION

23-0817
09/04

SENATE BILL ***186-FN***

AN ACT relative to an electric bicycle low-income transportation incentive program and making an appropriation therefor.

SPONSORS: Sen. Watters, Dist 4; Sen. Prentiss, Dist 5; Sen. Perkins Kwoka, Dist 21; Sen. Soucy, Dist 18; Sen. Fenton, Dist 10; Rep. Sykes, Graf. 14; Rep. Tellez, Hills. 40

COMMITTEE: Transportation

ANALYSIS

This bill creates an electric bicycle incentive and rebate program and fund for low income workers and makes an appropriation to the fund.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

23-0817
09/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to an electric bicycle low-income transportation incentive program and making an appropriation therefor.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Subdivision; E-Bikes For Low Income Worker Transportation Incentive Program. Amend RSA 21-O by inserting after section 21-O:24 the following new subdivision:

E-Bikes For Low Income Worker Transportation Incentive Program

21-O:25 Definitions. In this subdivision:

I. "Coordinator" means the transportation specialist in the department of environmental services who coordinates the Granite State Clean Cities Coalition.

II. "E-bike accessories" means items commonly used in association with a bicycle, including but not limited to:

(1) Helmets.

(2) Locks.

(3) Panniers.

(4) Baskets.

III. "Eligible e-bike" means an electric bicycle, as defined in RSA 259:27-a, which is new.

IV. "Participating retailer" means an electric bicycle retailer who has entered into a participating retailer agreement with the Granite State Clean Cities Coalition.

V. "Qualified applicant" means a person who:

(a) Is a resident of New Hampshire at the time of purchase.

(b) Has an income equal to or less than 200 percent of the federal poverty guidelines, as established by the United States Department of Labor, Bureau of Labor Statistics lower level budget.

(c) Is 16 years of age or older.

(d) Has been recommended for participation in the program by the New Hampshire Community Action Program.

21-O:26 E-Bikes For Low Income Worker Transportation Incentive Program and Fund.

I. There is hereby established a program to incentivize the use of e-bikes by low income workers for transportation in the department of environmental services. The coordinator shall work with the Drive Electric New Hampshire organization to administer the program.

II. There is established an e-bikes low-income worker transportation inventive program fund in the department of environmental services. The fund shall be nonlapsing, and may receive funding from state appropriations, grants, federal funds and grants, donations, and other sources.

III. The coordinator and Drive Electric New Hampshire shall adopt rules pursuant to RSA 541-A, relative to developing procedures and forms for selection of qualified applicants for selection of qualified applicants for the distribution of funds available.

IV. The coordinator and Drive Electric New Hampshire shall develop a participating retailer agreement to define the terms of a retailer's participation in the program.

V. Upon receiving his or her recommendation from the New Hampshire Community Action Program, a qualified applicant may submit an online application to Granite State Clean Cities Coalition for approval by the commissioner.

VI. Upon acceptance into the program by the commissioner, the qualified applicant may receive a rebate for their purchase of an eligible e-bike from and accessories from a participating retailer with the following terms:

(a) For eligible e-bikes under $1,000 in price, the rebate shall be no more than 50 percent of the purchase price.

(b) For eligible e-bikes with a cost over $1,000 the rebate amount shall be $500.

(c) If accessories are purchased with the eligible e-bike, the qualified applicant shall receive an additional rebate of up to $100.

VII. Rebates may be applied by qualified applicants in either of the following ways:

(a) A consumer post-sale rebate in which the qualified applicant is refunded their rebate after paying the entire purchase price up front to a participating retailer; or

(b) A retailer point of sale rebate in which the retailer discounts the price up front, and the retailer is refunded the difference between the purchase price and the rebated price.

VIII. To receive either kind of rebate under RSA 21-O:25, VII(a) or (b) the qualified applicant shall:

(a) Provide to the coordinator a complete and signed consumer e-bike attestation form, developed and provided Granite State Clean Cities Coalition.

(b) Provide to the coordinator proof of domicile or residency in New Hampshire.

(c) Provide to the coordinator a sales receipt that has the following information on it:

(1) A name which matches the name on the rest of the provided documents;

(2) The date of the sale;

(3) The price of the eligible e-bike;

(4) The eligible e-bike model;

(5) The eligible e-bike unique ID number, if it has one;

(6) The price of any accessories purchased with the eligible e-bike

(7) The discounted price of the eligible e-bike

IX. To receive the consumer post-sale rebate, the qualified applicant shall:

(a) Submit an online rebate application, with all of the supporting documents listed in paragraph VIII to the Granite State Clean Cities Coalition.

X. To receive the point of sale rebate, the participating retailer shall submit an online rebate application, with all of the supporting documents listed in paragraph VIII to the Granite State Clean Cities Coalition.

XI. Once a completed rebate application has been received by the Granite State Clean Cities Coalition, the coordinator shall process said application in no more than 7 days.

(a) If the Granite State Clean Cities coalition receives an incomplete application, they may request additional necessary information from either a qualified applicant or a participating retailer.

(b) After the Granite State Clean Cities coalition receives all the information necessary to process an incomplete application, the coordinator shall process said application in no more than 7 days.

XII. After the coordinator has processed an application, the qualified applicant or the participating retailer shall be paid the total rebate sum via a check from the department of environmental services.

XIII. Qualified applicants shall self-certify their adjusted gross income eligibility and that they have not already received an incentive under the statewide incentive program within the last 12 months.

XIV. The department of revenue administration shall audit a subset of applications for accuracy, and may choose to audit suspicious applications or a random subset or both.

XV. Qualified applicants shall be required on the application form to comply with requests for information in the process of an audit to confirm income certification, as well as other program requirements, including that the applicant was domiciled or a resident at the time of purchase.

XVI. Failure to provide requested documents and to provide reasonable cooperation in the event of an audit shall result in revocation of the incentive and an obligation to repay the state the full amount of the incentive plus interest at the statutory rate from the date the incentive was awarded.

XVII. The coordinator shall submit an annual report on the status of the program to the commissioner of the department of environmental services.

XVIII. Municipalities may set and enforce speed limits for Class 1 and Class 2 e-bikes on bicycle or multi-use paths where bicycles are permitted.

2 Appropriation. The sum of $100,000 for the fiscal year ending June 30, 2025 is hereby appropriated to the department of health and human services to implement the provisions of the e-bikes for low income worker transportation incentive program established in RSA 21-O:26. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

3 New Subparagraph; Application of Receipts; E-Bikes for Low Income Workers Transportation Incentive Program Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the e-bikes low income worker transportation incentive program fund established in RSA 21-O:26.

4 Effective Date. This act shall take effect January 1, 2024.

LBA
23-0817
Revised 1/24/23

SB 186-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to an electric bicycle low-income transportation incentive program and making an appropriation therefor.

FISCAL IMPACT: [X] State [ ] County [ ] Local [ ] None

	Estimated Increase / (Decrease)			
STATE:	**FY 2023**	**FY 2024**	**FY 2025**	**FY 2026**
Appropriation	$0	$0	$100,000	$0
Revenue	$0	$0	$0	$0
Expenditures	$0	$618,000	$526,000	$573,000
Funding Source:	[X] General [ ] Education [ ] Highway [X] Other - E-Bikes for Low Income Worker Transportation Incentive Program Fund.			

METHODOLOGY:

This bill creates an electric bicycle incentive and rebate program and fund for low income workers and makes an appropriation to the fund.

The Department of Environmental Services states this bill tasks a position within the Department 's Air Resource Division to serve as "coordinator or transportation specialist". This person would implement the program in conjunction with Drive Electric New Hampshire, a working group hosted by Clean Energy NH. The rebate program would allow rebates up to $500 for eligible e-bikes and up to a $100 rebate for eligible accessories for qualifying applicants. Rebates could be issued by a point-of-sale rebate or via a post-sale rebate. The Department assumed it would need to establish a new, full-time, position to manage this program. The Department estimates this position would be filled for 6 months in FY24 and 12 months in subsequent years. Since no funding for the position is provided by the bill, the Department assumes this would be a general fund cost. The Department assumed it would incur the following costs to establish and administer the program:

- Information technology costs of $200,000 in the first year to establish the program including a database and tracking and verification system and annual information technology maintenance costs of $20,000 each year thereafter.
- Full time Program Specialist IV position. Salary and benefit costs estimated to be $43,000 in FY 2024 (1/2 year) , $88,000 in FY 2025 and $91,000 in FY 2026.

- Annual contracts with each of the five New Hampshire Community Action Programs which would be tasked with qualifying applicants as low income to ensure their eligibility for rebates under this program. $375,000 ($75,000 x 5)

Based on these assumptions the cost to the Department of Environmental Services would be $618,000 in FY 2024, $483,000 in FY 2025 and $486,000 in FY 2026.

The Department of Revenue Administration indicates the bill would require the Department to audit a subset of applications for accuracy and the Department may choose to audit suspicious applications or a random subset or both. The audit shall include income certification and adherence to other program requirements. The Department assumes audits would be conducted over the life of the program. The Department would incur additional costs to develop an audit program, update its information management system and acquire additional staff to administer the audit program. The Department states it is difficult to determine how many audits the Department will conduct annually as it is unclear how many applications the Department of Environmental Services will receive. The Department assumes a new position would be required at an estimated cost of $43,000 in FY 2025 (1/2 year) and $87,000 in FY 2026.

This bill does not authorize or establish new positions. The bill makes an appropriation to the Department of Health and Human Services. Since the Department of Environmental Services is charged with administering the program, and the program is established in RSA 21-O, it assumed the appropriation is meant to be to the Department of Environmental Services not the Department of Health and Human Services.

AGENCIES CONTACTED:

Departments of Environmental Services and Revenue Administration

LBA
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Revised 1/24/23

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AGENCIES CONTACTED:

Departments of Environmental Services and Revenue Administration

Amendments

Sen. Watters, Dist 4
January 30, 2023
2023-0197s
09/05

Amendment to SB 186-FN

Amend the bill by replacing section 1 with the following:

1 New Subdivision; E-Bikes For Low Income Worker Transportation Incentive Program. Amend RSA 21-O by inserting after section 21-O:24 the following new subdivision:

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UNAPPROVED

III. The coordinator and Drive Electric New Hampshire shall adopt rules pursuant to RSA 541-A, relative to developing procedures and forms for selection of qualified applicants for selection of qualified applicants for the distribution of funds available.

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UNAPPROVED

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XVII. The coordinator shall submit an annual report on the status of the program to the commissioner of the department of environmental services.

XVIII. Municipalities may set and enforce speed limits for Class 1 and Class 2 e-bikes on bicycle or multi-use paths where bicycles are permitted.

UNAPPROVED

Committee Minutes

SENATE CALENDAR NOTICE
Transportation

Sen Denise Ricciardi, Chair
Sen David Watters, Vice Chair
Sen Ruth Ward, Member
Sen Carrie Gendreau, Member
Sen Donovan Fenton, Member

Date: January 24, 2023

HEARINGS

Tuesday	01/31/2023
(Day)	(Date)

Transportation	Legislative Office Building 101	1:00 p.m.
(Name of Committee)	(Place)	(Time)

1:00 p.m.	**SB 257-FN**	relative to access to drivers' license information for legitimate business purposes.
1:15 p.m.	**SB 258**	relative to the disposal of highway or turnpike funded real estate.
1:30 p.m.	**SB 259-FN**	relative to traffic and safety improvements on Route 101 Amherst, Bedford, and Milford.
1:45 p.m.	**SB 256-FN**	establishing a safety program for off-highway recreational vehicles.
2:00 p.m.	**SB 188-FN**	relative to catalytic converters.
2:15 p.m.	**SB 187-FN**	relative to driver's licenses for certain visa holders.
2:30 p.m.	**SB 186-FN**	relative to an electric bicycle low-income transportation incentive program and making an appropriation therefor.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

SB 257-FN
Sen. Carson | Sen. Watters | Rep. M. Pearson

SB 258
Sen. Perkins Kwoka | Sen. Watters | Sen. Rosenwald | Sen. Soucy
Sen. D'Allesandro | Sen. Altschiller | Sen. Fenton | Rep. Maggiore

SB 259-FN
Sen. Chandley | Sen. Fenton | Sen. Prentiss | Sen. Soucy
Sen. Ward | Sen. Watters | Rep. Morton | Rep. Veilleux
Rep. LeClerc | Rep. M. Murray | Rep. Petrigno

SB 256-FN
Sen. Ward | Sen. Gendreau | Sen. Fenton | Sen. Carson
Sen. Ricciardi | Rep. Gagne | Rep. Ouellet

SB 188-FN
Sen. Fenton | Sen. Ricciardi | Sen. Watters | Sen. Prentiss
Rep. Sykes

SB 187-FN

Sen. Watters	Sen. Fenton	Sen. Pearl	Sen. Ricciardi
Sen. Innis	Sen. Prentiss	Rep. Sykes	

SB 186-FN

Sen. Watters	Sen. Prentiss	Sen. Perkins Kwoka	Sen. Soucy
Sen. Fenton	Rep. Sykes	Rep. Tellez	

Peter O'Neill 271-4151

Denise Ricciardi
Chairman

Senate Transportation Committee

Peter O'Neill 271-4151

SB 186-FN, relative to an electric bicycle low-income transportation incentive program and making an appropriation therefor.

Hearing Date: January 31, 2023

Time Opened: 4:04 p.m. **Time Closed:** 4:30 p.m.

Members of the Committee Present: Senators Ricciardi, Watters, Ward, Gendreau and Fenton

Members of the Committee Absent: None

Bill Analysis: This bill creates an electric bicycle incentive and rebate program and fund for low income workers and makes an appropriation to the fund.

Sponsors:

Sen. Watters	Sen. Prentiss	Sen. Perkins Kwoka
Sen. Soucy	Sen. Fenton	Rep. Sykes
Rep. Tellez		

Who supports the bill: Sen. Watters, Sen. Perkins Kwoka, Sen. Fenton, Rebecca Ohler; Department of Environmental Services, David Topham, Patricia Beffa-Negrini, Susan Liebowitz, Susan Richman, Judith Saum, Anne Thomas, Anne Grossi, Catherine Bushueff, Jeanne Torpey, Barbara Southard, Andrew Jones, Gary Devore, Nancy Brennan,Claudia Damon, Patricia Martin, Lisa Sweet, Susan Moore, Tom St. Martin, Lois Cote, A. Thomas, Gregory Davis, Joseph Kwasniuk, Nancy Bishop, Melissa, Hinebauch, Judith Johnson, Alfrieda Englund, Sharon Racusin, Nancy Greenwood, Ann Rettew, Carla Billingham

Who opposes the bill: Julie Smith

Who is neutral on the bill: None

Summary of Testimony Presented:

Senator Watters District 4

- Sen. Watters introduced SB 186 and spoke in favor of it.
- He said he had a replace all amendment that might address the fiscal note problem with the bill.

- There could be an opportunity to increase use of transportation and potentially help with worker shortage by establishing an electric bike program. They are very affordable and are usually about $1000 or less.
- Cargo bikes are a bit heavier so they are slower and more expensive. However, they have an adaptable frame that can help with businesses transporting goods.
- There is a national standard in statute for E bikes. There are three different levels of bikes, how they work, licensure requirements, and other details to note. E bike owners do not need a license for electric bikes that go under 25 miles per hour. The bikes assist the rider so that the speed is maintained safely.
- The program would set up an incentive for low income folks.
- There is a worker shortage problem. The e bikes could be seen as a solution to the shortage and could help with work force development.
- Vermont did the same type of program thing and it was proven successful.
- E bikes could also help cut air pollution.
- Community action partnership programs would help to identify people eligible for this program and administer the e bikes to people who could take advantage of this program.
- Most of the fiscal note is with the community action partnership aiding with the program.
- Sen. Watters said he had conversations with DES and clean energy NH about the program as well.
- Under RSA 259:27-a, these e bikes won't require a license.
- Participating retailers would accept vouchers from people and safety equipment would be given to people utilizing the e bikes.
- The program would be standard, establish parameters of the program, and would see income come from it.
- There would also be a registered data base to keep track of who is using the program and help to protect against bike theft.
- Applicants would be approved by a selection process once the e bike rebates were finished.
- If the e bikes are not sold by a certain period of time, then there would need to be a second look about what to do with this bill.
- There may only be enough for 50 people in this program.
- This would be low-cost transportation and wouldn't need the riders to have a license.
- In a way, if the expenditures can be covered, finance can decide if there will be some state money.

- Sen. Ward clarified that the program would be about $100,000 for first fiscal year and said it sounds like this would be a full program. This would be about people that could apply.
    - Sen. Watters said maybe 100 people could apply.
    - Sen. Ward asked how this program would continue. Would there be a way to test this program or test the bikes. She asked where the money would come from.
    - Sen. Watters said in terms of the coordinator, that would be covered. In the amendment that he had mentioned, the community action partnership of Strafford County would handle the program at no cost. Other venues have shown success with these programs and this would be a pilot program. Federal funding could be made available as well through due to various bills that have been passed already. Using these bikes would not require training because they are bicycles. Users need to respect rules of the road. Municipalities have full enforcement over them as well.
    - Sen. Ward asked about the speed of the bike. How fast could they go.
    - Sen. Watters said RSA 259 outlines eligible bikes. There is a three-tier class for electric bikes in statute. If they go over a certain mph, they are no longer a bike. In this program, they are classified as bikes.
- Ricciardi asked what would happen if someone took a bike but left their job voluntarily.
    - Sen. Watters said people will be vetted for this process. People could get these bikes to help with their business. There are instances where people might leave their job but the vetting process would be there to address that.
    - Sen. Ricciardi said the intent would be to help the work force so a spot in the program should be for people in the work force.
    - Sen. Watters said that is why we are here. Someone might not be able to find affordable housing through their job so they would need to jump ship to find something else.
    - Sen. Ricciardi asked what Strafford County was doing.
    - Sen. Watters said funding and administering the program.
- Sen. Ward asked if something went wrong with the bike how would it be repaired.
    - Sen. Watters said it is like with any vehicle. It is cheaper to get a car fixed and bikes are low maintenance. They are built to be tough, especially the cargo version bikes.
    - Sen. Ward asked how long a battery could hold a charge for.

- Sen. Watters said the battery can hold a charge for about 80 miles. The battery can be taken off and plugged in for an even better charge too.

Rebecca Ohler, Department of Environmental Services

- Mrs. Ohler said she was present to answer questions/
- Sen. Watters asked if Clean Energy New Hampshire and the Department of Environmental Services would be able to work with Strafford County partnerships to out issues with the bill.
  - Mrs. Ohler said yes, the Department would coordinate with external partners. E bikes are very viable options for 15-20 mile commutes. She said she had been seeing bikes on the street year round now.
  - Sen. Watters said finding grant funding to support the program would be beneficial too.
  - Mrs. Ohler said agreed, especially in the short term.
- Sen. Ricciardi asked if DES could help with the funding plan for the bill.
  - Mrs. Ohler said DES is not able to do much outside the scope of funding stated in the bill. Sen. Watters had already lined up Strafford County to help.
  - Sen. Ricciardi said she would like to see something planned out instead of having things fall where they may.
  - Sen. Watters said if the program doesn't get authorized, it won't be developed. Vermont has a similar plan which made a good guideline.
  - Sen. Ricciardi said then she wanted the bill to reflect that plan.

Ki May Wong, Department of Revenue Administrations

- Mr. Wong said the DRA was tasked to audit the applications and submitted the fiscal note for the bill.
- There might need to be additional people and staff overseeing this audit since the DRA had never done an audit for e bikes before.
- Mr. Wong said the DRA was willing to assist and conduct an audit should the bill pass.
- Sen. Watters said he though about removing the requirement to audit. Thanked the work for the fiscal note. Change auto commission. Points made in fiscal note were very clear.

PJO
Date Hearing Report completed: February 3, 2023

Speakers

SENATE TRANSPORTATION COMMITTEE

Date 01/31/23 Time 2:30 p.m. Public Hearing on **SB 186-FN**

Relative to an electric bicycle low-income transportation incentive program and making an appropriation therefore.

Please check box(es) that apply.

SPEAKING	FAVOR	OPPOSED	NAME(Please print)	REPRESENTING
☒	☒	☐	Sen. David Watters	SD 4
☐	☐	☐		
☐	☐	☐		
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SENATE TRANSPORTATION COMMITTEE

Date 01/31/23 Time 2:30 p.m. Public Hearing on **SB 186-FN**

Relative to an electric bicycle low-income transportation incentive program and making an appropriation therefore.

Please check box(es) that apply.

SPEAKING	*FAVOR*	*OPPOSED*	*NAME(Please print)*	*REPRESENTING*
as needed ☒	☐	☐	Rebecca Ohler	Dept of Env. Services
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Testimony

Peter O'Neill

From: David Watters
Sent: Monday, January 30, 2023 7:19 PM
To: Beauchesne, Suzanne; Denise Ricciardi; Ruth Ward; Carrie Gendreau; Donovan Fenton; Peter O'Neill
Cc: Suzanne Prentiss; Rebecca Perkins Kwoka; Donna Soucy; George Sykes; Trinidad Tellez; Wright, Craig; Sanborn, Mark A; Fitzgerald, Michael; Ohler, Becky
Subject: Re: SB 186 Letter of Testimony

Dear Colleagues,
Strafford County Community Action Program has agreed to administer the program, so the amendment I will have at the hearing makes that change.
David

From: Beauchesne, Suzanne <Suzanne.E.Beauchesne@des.nh.gov>
Sent: Monday, January 30, 2023 3:04 PM
To: Denise Ricciardi <denise.ricciardi@leg.state.nh.us>; David Watters <David.Watters@leg.state.nh.us>; Ruth Ward <Ruth.Ward@leg.state.nh.us>; Carrie Gendreau <carrie.gendreau@leg.state.nh.us>; Donovan Fenton <Donovan.Fenton@leg.state.nh.us>; Peter O'Neill <peter.oneill@leg.state.nh.us>
Cc: Suzanne Prentiss <Suzanne.Prentiss@leg.state.nh.us>; Rebecca Perkins Kwoka <Rebecca.PerkinsKwoka@leg.state.nh.us>; Donna Soucy <Donna.Soucy@leg.state.nh.us>; George Sykes <George.Sykes@leg.state.nh.us>; Trinidad Tellez <Trinidad.Tellez@leg.state.nh.us>; Wright, Craig <CRAIG.A.WRIGHT@des.nh.gov>; Sanborn, Mark A <mark.a.sanborn@des.nh.gov>; Fitzgerald, Michael <WILLIAM.M.FITZGERALD@des.nh.gov>; Ohler, Becky <REBECCA.E.OHLER@des.nh.gov>
Subject: SB 186 Letter of Testimony

Caution! This message was sent from outside your organization.

Dear Chair Ricciardi and Members of the Committee:

Attached is a letter of testimony from the NH Department of Environmental Services (NHDES) on SB 186, an act relative to an electric bicycle low-income transportation incentive program and making an appropriation therefor. Should you have questions or need additional information, please feel free to contact Rebecca Ohler, Administrator, Technical Services Bureau, Air Resources Division (603-271-6749, rebecca.ohler@des.nh.gov). Thank you. Suzanne

Stay Safe! Be Well!

Suzanne Beauchesne
Office of the Commissioner
NH Department of Environmental Services
29 Hazen Drive, PO Box 95
Concord, NH 03301
Phone: (603) 271-3449
Suzanne.Beauchesne@des.nh.gov

This e-mail and any files transmitted with it may be confidential and are intended solely for the use of the individual or entity to whom they are addressed. This communication may contain material protected by law or regulation. If you are not the intended recipient or the person responsible for delivering the e-mail for the intended recipient, be advised that if you have received this e-mail in error that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited. If you believe that you have received this e-mail in error, please notify me at the Department of Environmental Services at 603.271.3449.

The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner

January 30, 2023

The Honorable Denise Ricciardi
Chair, Senate Transportation Committee
Legislative Office Building
Concord, NH 03301

Re: SB 186-FN, An Act relative to an electric bicycle low-income transportation incentive program and making an appropriation therefor.

Dear Chair Ricciardi and Members of the Committee:

Thank you for the opportunity to comment on behalf of the New Hampshire Department of Environmental Services (NHDES) regarding SB 186-FN, which seeks to create an electric bicycle incentive and rebate program and fund for low-income workers and makes an appropriation to the fund. Motor vehicles account for over half of the air pollution that causes the formation of ground level ozone, a respiratory irritant, and contributes significantly to greenhouse gas emissions. NHDES supports the use of non-combustion modes of transportation, including electric bicycles, where feasible, to reduce these emissions. However, NHDES has concerns with the bill as written.

NHDES' concerns with SB 186-FN have to do with the proposal to have NHDES house and manage a program to distribute rebates for electric bicycles and eligible accessories to income-eligible residents. In its Fiscal Note, NHDES highlighted several issues and offers that NHDES is not set up for, nor appropriately staffed, to house such a program. The following barriers are noted:

- The bill identified a specific position within NHDES' Air Resources Division to oversee and manage the program. This position is funded through a federal grant which has specific tasks associated with the funding. Promoting or enabling adoption of electric bikes are not among the tasks that qualify for this funding. The tasks identified for NHDES, including verifying residency, are outside the scope of anything the department currently does; therefore, NHDES would need to add a position to undertake this program.

- The program is proposed as a rebate program and would require NHDES to verify the income eligibility of the applicants. NHDES is not set up to make such a verification. NHDES is not able to speak to whether there is a program as named in the bill that is

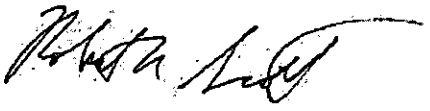
able to undertake this verification. It would be necessary for NHDES to contract with an appropriate entity to do this this task.

- NHDES is not equipped to implement a mechanism to ensure a recipient of a rebate retains the electric bike for the intended use and is also concerned about the need to enter into legal agreements with minors.

- The bill allocates $100,000 to the Department of Health and Human Services for this program. NHDES assumes this is an error and such allocation should be to NHDES. However, as detailed in the Fiscal Note, NHDES costs to establish and run such a program would be more than this allocation.

Thank you again for the opportunity to comment on SB 186-FN. Should you have further questions or need additional information, please feel free to contact me or Rebecca Ohler, Administrator, Technical Services Bureau, Air Resources Division (603-271-6749, rebecca.ohler@des.nh.gov).

Sincerely,



Robert R. Scott
Commissioner

ec: Sponsors of SB 186-FN: Senators Watters, Prentiss, Perkins Kwoka, Soucy and Fenton; Representatives Sykes and Tellez

Voting Sheets

Senate Transportation Committee
EXECUTIVE SESSION RECORD
2023-2024 Session

Bill # SB 186-FN

Hearing date: _____

Executive Session date: 2/14/23

Motion of: ITL **Vote:** 3-2

Committee Member	Present	Made by	Second	Yes	No
Sen. Ricciardi, Chair	☐	☐	☐	☑	☐
Sen. Watters, VC	☐	☐	☐	☐	☑
Sen. Ward	☐	☐	☑	☑	☐
Sen. Gendreau	☐	☑	☐	☑	☐
Sen. Fenton	☐	☐	☐	☐	☑

Motion of: _____ **Vote:** _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Ricciardi, Chair	☐	☐	☐	☐	☐
Sen. Watters VC	☐	☐	☐	☐	☐
Sen. Ward	☐	☐	☐	☐	☐
Sen. Gendreau	☐	☐	☐	☐	☐
Sen. Fenton	☐	☐	☐	☐	☐

Motion of: _____ **Vote:** _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Ricciardi, Chair	☐	☐	☐	☐	☐
Sen. Watters, VC	☐	☐	☐	☐	☐
Sen. Ward	☐	☐	☐	☐	☐
Sen. Gendreau	☐	☐	☐	☐	☐
Sen. Fenton	☐	☐	☐	☐	☐

Reported out by: Ricciardi

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Thursday, February 16, 2023

THE COMMITTEE ON Transportation

to which was referred **SB 186-FN**

AN ACT relative to an electric bicycle low-income transportation incentive program and making an appropriation therefor.

Having considered the same, the committee recommends that the Bill

IS INEXPEDIENT TO LEGISLATE

BY A VOTE OF: 3-2

Senator Denise Ricciardi
For the Committee

Peter O'Neill 271-4151

TRANSPORTATION

SB 186-FN, relative to an electric bicycle low-income transportation incentive program and making an appropriation therefor.

Inexpedient to Legislate, Vote 3-2.

Senator Denise Ricciardi for the committee.

General Court of New Hampshire - Bill Status System

Docket of SB186

Docket Abbreviations

Bill Title: relative to an electric bicycle low-income transportation incentive program and making an appropriation therefor.

Official Docket of **SB186.**:

Date	Body	Description
1/20/2023	S	**Introduced** 01/19/2023 and Referred to Transportation; **SJ 5**
1/24/2023	S	**Hearing:** 01/31/2023, Room 101, LOB, 02:30 pm; **SC 8**
2/16/2023	S	Committee Report: Inexpedient to Legislate, 02/22/2023; **SC 11**
2/22/2023	S	Inexpedient to Legislate, MA, VV === BILL KILLED ===; 02/22/2023; **SJ 8**

NH House	NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: SB 186-FN **Senate Committee:** Transportation

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

X Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

X Bill version as it came to the committee

X All Calendar Notices

X Hearing Sign-up sheet(s)

X Prepared testimony, presentations, & other submissions handed in at the public hearing

X Hearing Report

N/A Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

____ - amendment # 01975 ____ - amendment #_____

____ - amendment #_____ ____ - amendment #_____

X Executive Session Sheet

X Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

____ - amendment #_____ ____ - amendment #_____

____ - amendment #_____ ____ - amendment #_____

Post Floor Action: (if applicable) {Clerk's Office}

____ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

____ Enrolled Bill Amendment(s)

____ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

____ as amended by the senate ____ as amended by the house

____ final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Peter O'Neill 8/10/2023

Committee Aide **Date**

Senate Clerk's Office AL