

Texas Commission on Environmental Quality

4 Chapter 114 - Control of Air Pollution from Motor Vehicles

4K Subchapter K : Mobile Sources Incentive Programs

4K8 DIVISION 8 : DRAYAGE TRUCK INCENTIVE PROGRAM

Approved by EPA June 9, 2017 (82 FR 26754) effective September 7, 2017 (TXd198), Regulations.gov docket EPA-R06-OAR-2014-0497 [TX162].

Outline:

§114.680. Definitions. 4-92, TXd198, TX162

§114.681. Applicability. 4-87, TXd198, TX162

§114.682. Eligible Vehicle Models. 4-92, TXd198, TX162

\*\*\*\*\*end outline tx4K8 TXd198\*\*\*\*\*x7k\*\*\*\*

SIP-approval information:

Section 114.681: 4-87, TXd198, TX162

As adopted by TCEQ April 9, 2014 effective May 1, 2014 (4-87),

Submitted to EPA June 11, 2014 (4K8, TX-360, 4-87),

Regulations.gov document EPA-R06-OAR-2014-0497-0007 [TX162.07].

Approved by EPA June 9, 2017 (82 FR 26754) effective September 7, 2017 (TXd198),

Regulations.gov docket EPA-R06-OAR-2014-0497 [TX162], direct final

rule Federal Register in document EPA-R06-OAR-2014-0497-0001 [TX162.01].

Sections 114.680 and 114.682: 4-92, TXd198, TX162

As adopted by TCEQ August 3, 2016 effective August 25, 2016 (4-92),

Submitted to EPA September 15, 2016 (4K8, TX-388, 4-92),

Regulations.gov document EPA-R06-OAR-2014-0497-0008 [TX162.08].

Approved by EPA June 9, 2017 (82 FR 26754) effective September 7, 2017 (TXd198),

Regulations.gov docket EPA-R06-OAR-2014-0497 [TX162], direct final

rule Federal Register in document EPA-R06-OAR-2014-0497-0001 [TX162.01].

\*\*End SIP-approval information tx4K8 SIP eff September 7 2017 TXd198\*\*v7k\*\*

\*\*\*\*tx 114K8\*\*\*\*TXd198\*\*\*\*EPA-R06-OAR-2014-0497\*\*\*\*TX162\*\*\*\*x7k\*\*\*\*

TX Ch114K8 TXd198 §§114.680to114.682 DrayageTruckIncentiveProgram SIP eff Sep 7 2017 x7k

DIVISION 8: DRAYAGE TRUCK INCENTIVE PROGRAM  
§§114.680 - 114.682  
Effective August 25, 2016

§114.680. Definitions.

Unless specifically defined in the Texas Clean Air Act (TCAA) or in the rules of the commission, the terms used in this division have the meanings commonly ascribed to them in the field of air pollution control. In addition to the terms that are defined by the TCAA and §§3.2, 101.1, and 114.1 of this title (relating to Definitions), the following words and terms, when used in this division will have the following meanings, unless the context clearly indicates otherwise.

(1) Cargo handling equipment--Any heavy-duty non-road, self-propelled vehicle or equipment used at a seaport or rail yard to lift or move cargo, such as containerized, bulk, or break-bulk goods. Equipment includes, but is not limited to, rubber-tired gantry cranes, yard trucks, top handlers, side handlers, reach stackers, forklifts, loaders, and aerial lifts.

(2) Drayage activities--The transport of cargo, such as containerized, bulk, or break-bulk goods.

(3) Drayage truck--A heavy-duty on-road or non-road vehicle used for drayage activities and that operates on or transgresses through a seaport or rail yard for the purpose of loading, unloading, or transporting cargo, including transporting empty containers and chassis.

(4) Non-road yard truck--A non-road mobile utility vehicle used to transport cargo containers with or without chassis; also known as a utility tractor rig, yard tractor, or terminal tractor.

(5) Rail yard--A rail facility where cargo is routinely transferred from drayage truck to train or vice-versa, including structures that are devoted to receiving, handling, holding, consolidating, and loading or delivery of rail-borne cargo.

(6) Seaport--Publically or privately owned property associated with the primary movement of cargo or materials from ocean-going vessels or barges to shore or vice-versa, including structures and property devoted to receiving, handling, holding, consolidating, and loading or delivery of waterborne shipments. A seaport also includes publically or privately owned property within a ship channel security district established under Texas Water Code, Chapter 68.

Adopted August 3, 2016

Effective August 25, 2016

§114.681. Applicability.

The provisions of §114.680 and §114.682 of this title (relating to Definitions and Eligible Vehicle Models) apply to the Drayage Truck Incentive Program established and implemented under Texas Health and Safety Code, Chapter 386, Subchapter D-1.

Adopted April 9, 2014

Effective May 1, 2014

§114.682. Eligible Vehicle Models.

(a) Models of drayage trucks eligible for purchase to replace an existing drayage truck under the program include:

- (1) a heavy-duty on-road vehicle with a gross vehicle weight rating (GVWR) over 26,000 pounds;
- (2) a non-road yard truck; and
- (3) other cargo handling equipment.

(b) Models of existing drayage trucks eligible for replacement under the program include:

- (1) a heavy-duty on-road vehicle with a GVWR over 26,000 pounds;
- (2) a non-road yard truck; and
- (3) other cargo handling equipment.

(c) To be eligible for purchase under the program a drayage truck must have an engine of model year 2010 or later as specified by the agency in the grant solicitation materials and the drayage truck being replaced must have an engine of model year 2006 or earlier.

(d) The executive director may place additional limits on vehicle models and engine model years eligible for purchase and replacement under the program for a particular grant round in order to improve the effectiveness and further the goals of the program.

Adopted August 3, 2016

Effective August 25, 2016