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**AMENDMENT TO H.R.
OFFERED BY MS. MILLENDER-MCDONALD OF
CALIFORNIA**

In title VII, after section 743 insert the following new section and make the necessary conforming changes in the table of contents:

1 **SEC. 743A. DIESEL TRUCK RETROFIT AND FLEET MOD-**
2 **ERNIZATION PROGRAM.**

3 (a) **ESTABLISHMENT.**—The Administrator of the En-
4 vironmental Protection Agency, in consultation with the
5 Secretary of Energy, shall establish a program for award-
6 ing grants on a competitive basis to public agencies and
7 entities for fleet modernization programs including instal-
8 lation of retrofit technologies for diesel trucks.

9 (b) **ELIGIBLE RECIPIENTS.**—A grant shall be award-
10 ed under this section only to a State or local government
11 or an agency or instrumentality of a State or local govern-
12 ment or of two or more State or local governments who
13 will allocate funds, with preference to ports and other
14 major hauling operations.

15 (c) **AWARDS.**—

16 (1) **IN GENERAL.**—The Administrator shall
17 seek, to the maximum extent practicable, to ensure



1 a broad geographic distribution of grants under this
2 section.

3 (2) PREFERENCES.—In making awards of
4 grants under this section, the Administrator shall
5 give preference to proposals that—

6 (A) will achieve the greatest reductions in
7 emissions of nonmethane hydrocarbons, oxides
8 of nitrogen, and/or particulate matter per pro-
9 posal or per truck; or

10 (B) involve the use of Environmental Pro-
11 tection Agency or California Air Resources
12 Board verified emissions control retrofit tech-
13 nology on diesel trucks that operate solely on
14 ultra-low sulfur diesel fuel after September
15 2006.

16 (d) CONDITIONS OF GRANT.—A grant shall be pro-
17 vided under this section on the conditions that—

18 (1) trucks which are replacing scrapped trucks
19 and on which retrofit emissions-control technology
20 are to be demonstrated—

21 (A) will operate on ultra-low sulfur diesel
22 fuel where such fuel is reasonably available or
23 required for sale by State or local law or regula-
24 tion;



1 (B) were manufactured in model year 1998
2 and before; and

3 (C) will be used for the transportation of
4 cargo goods especially in port areas or used in
5 goods movement and major hauling operations;

6 (2) grant funds will be used for the purchase of
7 emission control retrofit technology, including State
8 taxes and contract fees; and

9 (3) grant recipients will provide at least 5 per-
10 cent of the total cost of the retrofit, including the
11 purchase of emission control retrofit technology and
12 all necessary labor for installation of the retrofit,
13 from any source other than this section.

14 (e) VERIFICATION.—Not later than 90 days after the
15 date of enactment of this Act, the Administrator shall
16 publish in the Federal Register procedures to—

17 (1) make grants pursuant to this section;

18 (2) verify that trucks powered by ultra-low sul-
19 fur diesel fuel on which retrofit emissions-control
20 technology are to be demonstrated will operate on
21 diesel fuel containing not more than 15 parts per
22 million of sulfur after September 2006; and

23 (3) verify that grants are administered in ac-
24 cordance with this section.



1 (f) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to the Administrator to
3 carry out this section, to remain available until expended
4 the following sums:

5 (1) \$20,000,000 for fiscal year 2005.

6 (2) \$35,000,000 for fiscal year 2006.

7 (3) \$45,000,000 for fiscal year 2007.

8 (4) Such sums as are necessary for each of fis-
9 cal years 2008 and 2009.

