



June 16, 2021

The Honorable Greg Abbott
Governor of State of Texas
P.O. Box 12428
Austin, Texas 78711

Dear Governor Abbott,

We write to ask you to protect fellow Texans' health and well-being by vetoing House Bill 4472, which would cut at least 35 percent of Texas Emissions Reduction Plan (TERP) funding.

People across Texas regularly breathe polluted air that increases their risk of premature death, and can also trigger asthma attacks and other adverse health impacts. Our largest metro areas are in non-attainment with the Clean Air Act and the [American Lung Association's 2021 State of the Air report](#) ranked Houston, Dallas-Fort Worth and El Paso in the 25 most polluted cities in the United States.¹ And a recent [study from Harvard University](#) found that 17,000 Texans die every year from air pollution.

TERP is a critical tool in the state's effort to reduce this harmful pollution and meet our obligations under the Clean Air Act. Over nearly two decades, TERP has reduced many thousands of tons of harmful nitrogen oxide and other pollutants by providing grants to school districts, businesses and regular Texans to replace polluting vehicles and equipment with cleaner alternatives.

Each year, Texans pay around \$260 million in vehicle transfer and other fees to fund TERP. Unfortunately, the Legislature has collected more than \$1.9 billion in these fees that weren't then appropriated for clean air. In an attempt to address the state's air quality crisis and provide transparency, in 2019 the Legislature passed House Bill 3745 "to improve air quality for all Texans while ensuring that tax dollars are used for the purposes intended."² That law is set to

¹ <https://www.lung.org/research/sota/city-rankings/states/texas>

² <https://house.texas.gov/news/press-releases/?id=7072>

take effect this September, ensuring the TERP program is finally fully funded, but HB 4472 undermines that law.

HB 4472 directs that “at least 35 percent” of collected TERP funds go instead to the Texas Department of Transportation for Congestion Mitigation and Air Quality (CMAQ). In theory, CMAQ could support programs that help clean air, for example, by investing in bike lanes or sidewalks. In Texas, however, the funds are primarily used to build or expand roads, which can actually end up creating a greater pollution problem.

We respectfully request you protect our state’s clean air program by vetoing HB 4472. Due to a rider in Article XI of the budget, a veto would mean all TERP fees would flow to the Texas Commission on Environmental Quality and TERP would finally be fully funded.

Sincerely,

Luke Metzger
Executive Director, Environment Texas

Charlie Gagen
Texas Advocacy Director, American Lung Association

Patricia Zavala
Senior Policy Analyst, Jolt Action

Cyrus Reed, PhD
Interim Director, Lone Star Chapter of the Sierra Club

Adrian Shelley
Director, Public Citizen’s Texas Office

Colin Leyden
Director of Regulatory and Legislative Affairs, Environmental Defense Fund

Bakeyah Nelson
Executive Director, Air Alliance Houston

Germán Ibáñez
Government Affairs Chairman, Houston Climate Movement
