S T A T E O F N E W Y O R K

5472

2015-2016 Regular Sessions

I N A S S E M B L Y

February 24, 2015

Introduced by M. of A. FARRELL -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to creating an electric vehicle rebate program

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The public authorities law is amended by adding a new section 1884 to read as follows:

S 1884. ELECTRIC VEHICLE REBATE PROGRAM. 1. THERE IS HEREBY CREATED WITHIN THE AUTHORITY AN ELECTRIC VEHICLE REBATE PROGRAM. THE PURPOSE OF THE PROGRAM SHALL BE TO PROMOTE CLEAN TECHNOLOGY VEHICLES THAT CREATE ENVIRONMENTAL BENEFITS AND CONTRIBUTE TO THE ECONOMIC GROWTH OF THE STATE.

2. FOR PURPOSES OF THIS SECTION:

(A) "ELIGIBLE PURCHASE" MEANS AND INCLUDES PURCHASE TO OWN OR A LEASE OF NOT LESS THAN THIRTY-SIX MONTHS OF AN ELIGIBLE VEHICLE PLACED INTO SERVICE ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION; AND

(B) "ELIGIBLE VEHICLE" MEANS AND INCLUDES:

(I) A NEW LIGHT-DUTY MOTOR VEHICLE POWERED BY ELECTRIC DRIVE THAT:

(A) HAS FOUR WHEELS;

(B) WAS MANUFACTURED FOR USE PRIMARILY ON PUBLIC STREETS, ROADS AND HIGHWAYS;

(C) THE POWERTRAIN HAS NOT BEEN MODIFIED FROM THE ORIGINAL MANUFACTURER'S SPECIFICATIONS;

(D) IS RATED AT NOT MORE THAN EIGHT THOUSAND FIVE HUNDRED POUNDS UNLOADED VEHICLE WEIGHT;

(E) HAS A MAXIMUM SPEED CAPABILITY OF AT LEAST FIFTY-FIVE MILES PER HOUR; AND

(F) IS PROPELLED TO A SIGNIFICANT EXTENT BY AN ELECTRIC MOTOR THAT DRAWS ELECTRICITY FROM A BATTERY THAT:

(I) HAS A CAPACITY OF NOT LESS THAN FOUR KILOWATT HOURS; AND

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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(II) IS CAPABLE OF BEING RECHARGED FROM AN EXTERNAL SOURCE OF ELECTRICITY.

3. THE AUTHORITY SHALL AWARD REBATES FOR ELIGIBLE VEHICLES IN AMOUNTS AS DETERMINED BY THIS SECTION. AN APPLICANT IS ELIGIBLE TO RECEIVE A MAXIMUM OF ONE REBATE PER YEAR.

4. THE AUTHORITY SHALL DETERMINE THE REBATE ELIGIBILITY OF EACH APPLICANT IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION AND RULES PROMULGATED BY THE AUTHORITY. THE TOTAL AMOUNT OF REBATES ALLOCATED TO CERTIFIED APPLICANTS IN EACH FISCAL YEAR SHALL NOT EXCEED THE AMOUNT OF FUNDS AVAILABLE FOR THE PROGRAM IN THE FISCAL YEAR. REBATES SHALL BE ALLOCATED TO APPLICANTS ON A FIRST-COME, FIRST-SERVED BASIS, DETERMINED BY THE DATE THE APPLICATION IS RECEIVED, UNTIL ALL APPROPRIATED FUNDS FOR THE FISCAL YEAR ARE EXPENDED OR THE PROGRAM ENDS, WHICHEVER COMES FIRST. THE AUTHORITY SHALL HAVE AUTHORITY TO REDUCE ELIGIBLE VEHICLE REBATE AMOUNTS FROM THE AMOUNTS SPECIFIED IN SUBDIVISION SEVEN OF THIS SECTION. SUCH REDUCTION SHALL OCCUR ONLY IF THE AUTHORITY FORECASTS FUNDS WOULD BE EXHAUSTED PRIOR TO THE END OF A FISCAL YEAR.

5. THE AUTHORITY SHALL PROMULGATE RULES TO IMPLEMENT AND ADMINISTER THIS SECTION BY OCTOBER FIFTEENTH, TWO THOUSAND FIFTEEN, INCLUDING RULES RELATING TO THE FORMS REQUIRED TO CLAIM A REBATE UNDER THIS SECTION, THE REQUIRED DOCUMENTATION AND BASIS FOR ESTABLISHING ELIGIBILITY FOR A REBATE, PROCEDURES AND GUIDELINES FOR CLAIMING A REBATE, AND THE COLLECTION OF ECONOMIC IMPACT DATA FROM APPLICANTS.

6. THE AUTHORITY SHALL DETERMINE AND PUBLISH ON ITS WEBSITE ON AN ONGOING BASIS THE AMOUNT OF AVAILABLE FUNDING FOR REBATES REMAINING IN EACH FISCAL YEAR.

7. (A) THE PURCHASER OR LESSEE OF AN ELIGIBLE VEHICLE MAY BE ELIGIBLE FOR ONLY ONE OF THE REBATES SPECIFIED IN THIS PARAGRAPH:

(I) A PERSON WHO PURCHASES OR LEASES A NEW LIGHT-DUTY MOTOR VEHICLE ELIGIBLE VEHICLE MAY RECEIVE UP TO A TWO THOUSAND FIVE HUNDRED DOLLAR REBATE IF THE BATTERY CAPACITY OF THE ELIGIBLE VEHICLE IS TEN KILOWATT HOURS OR GREATER; OR

(II) A PERSON WHO PURCHASES OR LEASES A NEW LIGHT-DUTY MOTOR VEHICLE ELIGIBLE VEHICLE MAY RECEIVE UP TO A ONE THOUSAND FIVE HUNDRED DOLLAR REBATE IF THE BATTERY CAPACITY IS FOUR KILOWATT HOURS OR GREATER, BUT LESS THAN TEN KILOWATT HOURS.

(B) INCENTIVES SHALL BE APPLIED FOR USING THE FORMS DEVELOPED AND PROVIDED BY THE AUTHORITY AND SHALL INCLUDE THE VERIFICATION OF PURCHASE OR LEASE BY THE DEALER.

S 2. This act shall take effect immediately.