

STATE OF NEW YORK

5262

2019-2020 Regular Sessions

IN ASSEMBLY

February 8, 2019

Introduced by M. of A. WOERNER -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to establishing the "low carbon fuel standard of 2019"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Short title. This act may be known and may be cited as the
2 "low carbon fuel standard of 2019".

3 § 2. The environmental conservation law is amended by adding a new
4 section 19-0329 to read as follows:

5 § 19-0329. Low carbon fuel standard.

6 (1) A low carbon fuel standard is hereby established. The low carbon
7 fuel standard is intended to reduce greenhouse gas emissions from the
8 transportation sector by twenty percent by two thousand thirty, with
9 further reductions to be implemented based upon advances in technology.

10 (2) The low carbon fuel standard shall apply to all providers of
11 transportation fuels in New York, shall be measured on a full fuels
12 cycle basis and may be met through market-based methods by which provid-
13 ers exceeding the performance required by a low carbon fuel standard
14 shall receive credits that may be applied to future obligations or trad-
15 ed to providers not meeting the low carbon fuel standard. For purposes
16 of this section the term "providers" shall include, but shall not be
17 limited to, all refiners, blenders, producers or importers of transpor-
18 tation fuels.

19 (3) Within twenty-four months following adoption of the low carbon
20 fuel standard, the commissioner, in consultation with the New York state
21 energy research and development authority, shall promulgate regulations
22 establishing a low carbon fuel standard with performance objectives to
23 implement subdivision one of this section. The low carbon fuel standard
24 shall take into consideration the low carbon fuel standard adopted in
25 California and other states, may rely upon the carbon intensity of

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

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1 values established for transportation fuels in such states and shall
2 include coordination with other Northeastern states to promote regional
3 reductions in greenhouse gas emissions.

4 (4) The regulations adopted pursuant to this section shall include
5 fees for the registration of providers to offset the costs associated
6 with implementation of the low carbon fuel standard.

7 (5) Within twenty-four months following the adoption of regulations
8 implementing a low carbon fuel standard, the commissioner shall report
9 to the legislature regarding the implementation of the program, the
10 reductions in greenhouse gas emissions that have been achieved through
11 the low carbon fuel standard and targets for future reductions in green-
12 house gas emissions from the transportation sector.

13 (6) Nothing in this section shall preclude the department from enact-
14 ing or maintaining other programs to reduce greenhouse gas emissions
15 from the transportation sector.

16 § 3. This act shall take effect immediately.