

# STATE OF NEW YORK

3535--A

2021-2022 Regular Sessions

## IN SENATE

January 30, 2021

Introduced by Sens. KENNEDY, BAILEY, BIAGGI, COMRIE, GOUNARDES, HOYLMAN, KAMINSKY, KAPLAN, KRUEGER, MAY, REICHLIN-MELNICK, SEPULVEDA, THOMAS -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the transportation law, in relation to the purchase of zero-emission buses

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

1 Section 1. The transportation law is amended by adding a new section  
2 17-c to read as follows:

3 § 17-c. Zero-emission buses. 1. No later than January first, two thou-  
4 sand twenty-nine, every public transportation system eligible to receive  
5 operating assistance under the provisions of section eighteen-b of this  
6 article shall be required to purchase only zero-emission buses and  
7 related equipment and facilities as part of the normal replacement of  
8 its fleet.

9 2. For purposes of this section "zero-emission bus" shall mean a motor  
10 vehicle that has a seating capacity of fifteen or more passengers in  
11 addition to the driver and used for the transportation of persons; is  
12 propelled by an electric motor and associated power electronics which  
13 provide acceleration torque to the drive wheels during normal vehicle  
14 operation and draws electricity from a hydrogen fuel cell or from a  
15 battery which is capable of being recharged from an external source of  
16 electricity; or otherwise operates without direct emission of atmospher-  
17 ic pollutants.

18 § 2. The transportation law is amended by adding a new section 18-c to  
19 read as follows:

20 § 18-c. Capital plan requirements. In formulating the five-year  
21 department of transportation capital plans, the department shall: (a)  
22 consider the requirement of section seventeen-c of this article in its

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

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disbursement of payment for the costs of mass transportation capital projects and facilities and give preference in the form of payments to public transportation systems eligible to receive operating assistance under the provisions of section eighteen-b of this article that are able to demonstrate commitments made towards purchasing zero-emission buses and related equipment and facilities; and (b) facilitate for purposes of meeting the requirement of section seventeen-c of this article the coordination of purchasing, installation and sharing services between public transportation systems serving primarily outside the city of New York.

§ 3. This act shall take effect immediately.