STATE OF NEW YORK

4036

2023-2024 Regular Sessions

IN ASSEMBLY

February 9, 2023

Introduced by M. of A. CUNNINGHAM -- read once and referred to the Committee on Transportation

AN ACT to amend the transportation law, in relation to requiring the department of transportation to prepare a plan for every public transportation system to be eligible to receive operating assistance in the purchase of any new zero-emission buses or other municipal zero-emission vehicles

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

Section 1. The transportation law is amended by adding a new section 18-c to read as follows:

§ 18-c. Zero-emission municipal fleet plan. 1. (a) No later than one year from the effective date of this section, the department shall prepare, in consultation with the New York state energy research and development authority and the office of general services, a plan for every public transportation system to be eligible to receive operating assistance in the purchase of any new zero-emission buses or other municipal zero-emission vehicles and related equipment and facilities as part of the normal replacement of its fleet. The plan shall also identify potential funding sources for the program.

(b) For the purposes of this section:

(i) "zero-emission bus" shall mean a zero-emission vehicle that has a seating capacity of fifteen or more passengers in addition to the driver and is used for the transportation of persons; and

(ii) "zero-emission vehicle" shall mean a vehicle powered by means of a battery or fuel cell or a combination thereof, or another source of power, that produces zero exhaust emissions of any greenhouse gas, criteria pollutant or precursor pollutant under any and all possible operational modes and conditions.

2. The department's plan shall include all of the following components:

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

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(i) a goal of full transition to zero-emission buses by two thousand forty;

(ii) identification of potential types of zero-emission vehicle technologies for deployment, such as battery electric or fuel cell electric vehicles;

(iii) a schedule for construction of facilities and infrastructure modifications or upgrades, including charging, fueling, and maintenance facilities, to deploy and maintain zero-emission vehicles. This schedule shall specify the general location of each facility, type of infrastructure, service capacity of infrastructure, and a timeline for construction;

(iv) a schedule for zero-emission and conventional internal combustion engine bus purchases and lease options;

(v) a schedule for conversion of conventional internal combustion engine buses to zero-emission buses, if any;

(vi) a description on how a transit agency plans to deploy zero-emission buses in disadvantaged communities;

(vii) a training plan and schedule for municipal bus operators and maintenance and repair staff regarding operation and maintenance of zero-emission buses and zero-emission vehicles; and

(viii) the use of Regional Greenhouse Gas Initiative (RGGI) funds, implemented in the state pursuant to 21 NYCRR part 507, and other tax credits as funding sources.

3. Two years after the effective date of this section, and annually thereafter, the department shall prepare, in consultation with the New York state energy research and development authority and the office of general services, shall conduct a report on the status and recommendations of the department's plan. The report shall include a review of the department's plan, including the specific greenhouse gas or air quality improvement goals; the status of the plan with respect to meeting its goals and targets; a cost-benefit analysis of the plan; and, to the extent feasible, a comparison of the department's plan with other states' and countries' zero-emission vehicle programs. Based on this information, the report shall also make recommendations on how to maximize the effectiveness of existing programs to expand the use of zero-emission buses and zero-emission vehicles in the most cost-effective manner possible that achieves the greatest reduction in greenhouse gas emissions and maximizes improvements to air quality.

§ 2. This act shall take effect immediately.