

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 trans-
portation system to be eligible to receive operating assistance in the
purchase of any new zero-emission buses or other municipal zero-emis-
sion vehicles

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

1 Section 1. The transportation law is amended by adding a new section
2 18-c to read as follows:

3 § 18-c. Zero-emission municipal fleet plan. 1. (a) No later than one
4 year from the effective date of this section, the department shall
5 prepare, in consultation with the New York state energy research and
6 development authority and the office of general services, a plan for
7 every public transportation system to be eligible to receive operating
8 assistance in the purchase of any new zero-emission buses or other
9 municipal zero-emission vehicles and related equipment and facilities as
10 part of the normal replacement of its fleet. The plan shall also identi-
11 fy potential funding sources for the program.

12 (b) For the purposes of this section:

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

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

21 2. The department's plan shall include all of the following compo-
22 nents:

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

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

3 (ii) identification of potential types of zero-emission vehicle tech-
4 nologies for deployment, such as battery electric or fuel cell electric
5 vehicles;

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

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

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

16 (vi) a description on how a transit agency plans to deploy zero-emis-
17 sion buses in disadvantaged communities;

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

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

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

39 § 2. This act shall take effect immediately.