STATE OF NEW YORK

4532

2023-2024 Regular Sessions

IN SENATE

February 9, 2023

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the public authorities law, in relation to establishing the zero-emission vehicles rebate program; and providing for the repeal of such provisions upon expiration thereof

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 1885 to read as follows:

§ 1885. Previously owned zero-emission vehicles rebate program. 1. There is hereby created within the authority a zero-emission vehicles rebate program. The purpose of the program is to reduce greenhouse gas emissions, improve air quality, and reduce noise pollution by promoting the adoption of quieter, zero-emission vehicles.

2. As used in this section:

(a) "Institutional or commercial applicant" shall mean a commercial business, or a state agency, state authority, local authority, town, county, village, school district, private school, university, not-for-profit corporation, or other nonprofit organization.

(b) "Individual applicant" shall mean a person, who is not an institutional or commercial applicant, and who intends to use an eligible zero-emission vehicle for private home use and not for any commercial purposes.

(c) "Zero-emission vehicle" shall have the same meaning as under part two hundred eighteen of title six of the New York codes, rules and regulations.

(d) "Eligible zero-emission vehicle" shall mean a zero-emission vehicle that has been used or previously owned, and is purchased or leased from a storefront or online retailer.

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

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(e) "Local authority" shall have the same meaning as in subdivision two of section two of this chapter.

(f) "State agency" shall mean all state departments, boards, commissions, offices or institutions.

(g) "State authority" shall have the same meaning as in subdivision one of section two of this chapter.

3. The authority shall award rebates to institutional or commercial applicants and individual applicants at the point of sale for eligible zero-emission vehicles in amounts up to two thousand dollars, as determined by the authority.

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 such 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.

5. The authority shall promulgate rules and regulations to implement and administer the provisions of this section no later than one year after the effective date of this section, including rules and regulations 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, the collection of economic impact data from applicants, and any other requirements the authority deems necessary. The authority shall conduct education and outreach, with informational materials made available in at least English and the three most common non-English languages spoken by individuals with limited-English proficiency in the state of New York, based on United States census data, as necessary to inform potential applicants and manufacturers and retailers of eligible zero-emission vehicles about the zero-emission vehicles rebate program.

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. No later than two years after the effective date of this section, and annually thereafter on the first of January, the authority shall issue a report to the temporary president of the senate, the speaker of the assembly, the chair of the senate committee on energy and telecommunications and the chair of the assembly committee on energy detailing the status of the zero-emission vehicles rebate program. Such report shall include:

(a) the amount of funding dedicated by the authority for the program in the preceding year;

(b) the amount of eligible purchases for which a rebate was awarded;

(c) the amount and geographic distribution of rebates; and

(d) any other information the authority deems necessary.

§ 2. This act shall take effect immediately and shall expire and be deemed repealed January 1, 2029.