

STATE OF NEW YORK

2966

2023-2024 Regular Sessions

IN SENATE

January 26, 2023

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

AN ACT to amend the energy law, the environmental conservation law, the public authorities law, and the general municipal law, in relation to requiring certain watercraft, aircraft, and trains to be zero-emissions; and to amend the public authorities law, in relation to requiring NYSEDA to conduct certain studies and requiring certain monetary incentives for clean energy vehicles

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

1 Section 1. The energy law is amended by adding a new section 5-108-b
2 to read as follows:

3 § 5-108-b. Purchase of zero-emission ferries. a. The commissioner
4 shall promulgate rules and regulations which shall require that all
5 ferries purchased by or for the state or any agency or public authority
6 thereof, or any private nonprofit organization in any fiscal year which
7 commences on or after April first two thousand thirty, produce zero-em-
8 issions. Privately licensed ferries that receive funding from the state
9 or any agency or public authority thereof, where such funds are provided
10 to subsidize a particular route, shall, in any fiscal year which
11 commences on or after April first two thousand thirty, purchase zero-em-
12 ission ferries to service that particular route.

13 § 2. The environmental conservation law is amended by adding a new
14 section 19-0306-c to read as follows:

15 § 19-0306-c. Public vessel emissions regulations.

16 1. The commissioner shall promulgate rules and regulations which shall
17 require that all public vessels operating in the navigable waters of the
18 state shall produce zero or near zero-emissions by two thousand forty.
19 Public vessels may only utilize fossil fuel-based engines as range
20 extenders.

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

LBD03192-01-3

1 2. The provisions of this section shall not apply to commercial fish-
2 ing boats, ocean-going ships or public vessels transporting goods
3 through the Great Lakes.

4 3. For purposes of this section, the following terms shall have the
5 following meanings:

6 (a) "public vessel" shall have the same meaning as in paragraph (a) of
7 subdivision six of section two of the navigation law;

8 (b) "navigable waters of the state" shall have the same meaning as in
9 subdivision four of section two of the navigation law;

10 (c) "fossil fuel" shall mean coal, petroleum products and fuel gases;
11 and

12 (d) "range extender" shall mean a fuel-based auxiliary power unit that
13 extends the range of an electric vessel by providing power to an elec-
14 tric generator that charges the vessel's battery.

15 § 3. The public authorities law is amended by adding a new section
16 1885 to read as follows:

17 § 1885. Study on zero-emission commercial vessels. 1. The New York
18 state energy research and development authority is hereby authorized and
19 directed to conduct a comprehensive study to analyze the need for charg-
20 ing stations along the Hudson river and the New York state canal system
21 to accommodate zero-emission commercial vessels.

22 2. Such study shall examine, at a minimum:

23 (a) the current electric vessel infrastructure, including an evalu-
24 ation of revenue allocation options to assist in an expansion of such
25 infrastructure;

26 (b) the volume of commercial barge operations, including an estimate
27 of the number of charging stations necessary to supply such operations
28 upon a transition of commercial barge operations to zero-emission
29 vessels;

30 (c) any safety implications concerning the development of the electric
31 vessel infrastructure; and

32 (d) any negative impacts that may result from the installation of
33 charging stations.

34 3. The authority shall report its findings and any recommendations to
35 the governor, the temporary president of the senate and the speaker of
36 the assembly no later than five years after the effective date of this
37 section.

38 § 4. The public authorities law is amended by adding a new section
39 1886 to read as follows:

40 § 1886. Boat clean rebate program. The authority shall establish and
41 administer a parallel program to the drive clean rebate program entitled
42 the boat clean rebate program to permit vessels, as defined in section
43 two of the navigation law, that produce zero-emissions and are no great-
44 er than twenty-five feet in length, to be eligible for a maximum rebate
45 amount of two thousand dollars.

46 § 5. Subdivision 1 of section 352 of the general municipal law, as
47 amended by chapter 904 of the laws of 1947, is amended to read as
48 follows:

49 1. Construct, develop, improve, equip, maintain and operate the same,
50 provided that, no later than January first, two thousand thirty, all
51 ground support equipment used by any public airport shall be zero-emis-
52 sion ground support equipment.

53 § 6. The public authorities law is amended by adding a new section
54 1887 to read as follows:

55 § 1887. Study on publicly funded airports. 1. The authority shall
56 conduct a study of all publicly funded airports within the state to

1 assess the financial viability of using renewable energy in such
2 airports. Such study shall examine the use of renewable energy sources,
3 including but not limited to, geothermal energy, solar energy and wind
4 energy, for on-site generation of electricity. Such study shall further
5 examine, at a minimum:

6 (a) the cost of each such source of renewable energy compared to the
7 cost of non-renewable energy sources;

8 (b) the efficiency of each such source of renewable energy compared to
9 the efficiency of non-renewable energy sources; and

10 (c) any safety implications for each such source of renewable energy.

11 2. The authority shall report its findings and any recommendations to
12 the governor, the temporary president of the senate, and the speaker of
13 the assembly no later than five years after the effective date of this
14 section.

15 § 7. Section 1854 of the public authorities law is amended by adding a
16 new subdivision 24 to read as follows:

17 24. To administer a program, using funds provided for such purpose, to
18 provide a grant to commercial flying school and non-profit flying clubs
19 to install charging infrastructure applicable to federal aviation admin-
20 istration certified electric aircraft. To be eligible for such grant,
21 flying schools and flying clubs shall be based at airports located in
22 this state. Any flying club seeking such grant shall have no less than
23 twenty-five members. Priority shall be given to flying school and non-
24 profit flying clubs that have been in business for at least five consec-
25 utive years.

26 § 8. The public authorities law is amended by adding a new section
27 1888 to read as follows:

28 § 1888. Study on sustainable aviation fuel. 1. The authority shall
29 conduct a study to determine how to make sustainable aviation fuel,
30 certified per applicable standards such as the roundtable on sustainable
31 biomaterials standards or the American society for testing and materials
32 standards, more widely available at airports in the state, using locally
33 sourced biomass as feedstock for the fuel whenever feasible. Such study
34 shall examine, at a minimum:

35 (a) the resources available within the state to create such sustaina-
36 ble fuel;

37 (b) the cost for creating such fuel;

38 (c) the cost to implement the use of such fuel within the state
39 compared to the cost of maintaining the use of traditional aviation
40 fuel; and

41 (d) any safety implications concerning the use of sustainable aviation
42 fuel.

43 2. The authority shall report its findings and any recommendations to
44 the governor, the temporary president of the senate, and the speaker of
45 the assembly no later than five years after the effective date of this
46 section.

47 § 9. Section 1266 of the public authorities law is amended by adding a
48 new subdivision 20 to read as follows:

49 20. No later than January first, two thousand thirty-five, the author-
50 ity, in consultation with the Metro-North Commuter Railroad Company, the
51 Long Island Railroad and the executive director of the metropolitan
52 transportation authority, shall require that all passenger trains oper-
53 ated by the Metro-North Commuter Railroad Company and the Long Island
54 Railroad, and all work trains in the subway system operated by the
55 metropolitan transportation authority shall be zero-emission trains.
56 Any branch of the Metro-North Commuter Railroad Company that operates

- 1 wholly or partially in New Jersey or Connecticut shall be exempt from
- 2 the provisions of this subdivision.
- 3 § 10. This act shall take effect immediately.