

# 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:

1 Section 1. The public authorities law is amended by adding a new  
2 section 1885 to read as follows:

3 § 1885. Previously owned zero-emission vehicles rebate program. 1.  
4 There is hereby created within the authority a zero-emission vehicles  
5 rebate program. The purpose of the program is to reduce greenhouse gas  
6 emissions, improve air quality, and reduce noise pollution by promoting  
7 the adoption of quieter, zero-emission vehicles.

8 2. As used in this section:

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

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

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

20 (d) "Eligible zero-emission vehicle" shall mean a zero-emission vehi-  
21 cle that has been used or previously owned, and is purchased or leased  
22 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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1 (e) "Local authority" shall have the same meaning as in subdivision  
2 two of section two of this chapter.

3 (f) "State agency" shall mean all state departments, boards, commis-  
4 sions, offices or institutions.

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

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

11 4. The authority shall determine the rebate eligibility of each appli-  
12 cant in accordance with the requirements of this section and rules  
13 promulgated by the authority. The total amount of rebates allocated to  
14 certified applicants in each fiscal year shall not exceed the amount of  
15 funds available for the program in such fiscal year. Rebates shall be  
16 allocated to applicants on a first-come, first-served basis, determined  
17 by the date the application is received, until all appropriated funds  
18 for the fiscal year are expended or the program ends, whichever comes  
19 first.

20 5. The authority shall promulgate rules and regulations to implement  
21 and administer the provisions of this section no later than one year  
22 after the effective date of this section, including rules and regu-  
23 lations relating to the forms required to claim a rebate under this  
24 section, the required documentation and basis for establishing eligibil-  
25 ity for a rebate, procedures and guidelines for claiming a rebate, the  
26 collection of economic impact data from applicants, and any other  
27 requirements the authority deems necessary. The authority shall conduct  
28 education and outreach, with informational materials made available in  
29 at least English and the three most common non-English languages spoken  
30 by individuals with limited-English proficiency in the state of New  
31 York, based on United States census data, as necessary to inform poten-  
32 tial applicants and manufacturers and retailers of eligible zero-emis-  
33 sion vehicles about the zero-emission vehicles rebate program.

34 6. The authority shall determine and publish on its website on an  
35 ongoing basis the amount of available funding for rebates remaining in  
36 each fiscal year.

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

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

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

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

48 (d) any other information the authority deems necessary.

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