STATE OF NEW YORK

7767--A

2023-2024 Regular Sessions

IN SENATE

November 27, 2023

Introduced by Sens. HARCKHAM, MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Environmental Conservation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to increasing sales of zero-emission vehicles

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

Section 1. Section 19-0306-b of the environmental conservation law is amended by adding a new subdivision 6 to read as follows:

6. a. (i) The department, the New York state energy research and development authority, the department of motor vehicles, and the department of transportation, in consultation with the other state agencies, shall report on December thirty-first, two thousand twenty-four and on a bi-annual basis thereafter until December thirty-first, two thousand thirty-two, the state's zero-emission vehicle sales by new motor vehicle dealers, as defined in section four hundred fifteen of the vehicle and traffic law, except for manufacturers that manufacture or assemble exclusively zero-emissions vehicles, or is a subsidiary, affiliate, or controlled entity of such a manufacturer, as outlined in subparagraph (iii) of paragraph f of subdivision seven of such section.

(ii) Notwithstanding any provision of subparagraph (iii) of paragraph f of subdivision seven of section four hundred fifteen of the vehicle and traffic law, if the department finds in its initial report that projections of sales by new motor vehicle dealers, except for manufacturers that manufacture or assemble exclusively zero-emissions vehicles, or is a subsidiary, affiliate, or controlled entity of such a manufacturer, fail to show that thirty-five percent of vehicle sales in model year two thousand twenty-six will be zero-emission vehicles then the department of motor vehicles shall issue up to ten certificates of

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

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registration pursuant to section four hundred fifteen of the vehicle and traffic law for entities that manufacture or assemble zero-emissions vehicles and have no franchised motor vehicle dealers in New York.

b. If the bi-annual report on December thirty-first, two thousand twenty-eight finds projections of sales by new motor vehicle dealers, except for manufacturers that manufacture or assemble exclusively zero-emissions vehicles, or is a subsidiary, affiliate, or controlled entity of such a manufacturer, fail to show that sixty-eight percent of sales by model year two thousand thirty will be zero-emissions vehicles then the department of motor vehicles shall issue up to ten additional certificates of registration pursuant to section four hundred fifteen of the vehicle and traffic law for entities that manufacture or assemble zero-emissions vehicles and have no franchised motor vehicle dealers in New York.

c. If the bi-annual report on December thirty-first, two thousand thirty-two finds projections of sales by new motor vehicle dealers, except for manufacturers that manufacture or assemble exclusively zero-emissions vehicles, or is a subsidiary, affiliate, or controlled entity of such a manufacturer, fail to show that one hundred percent of sales by model year two thousand thirty-five will be zero-emissions vehicles then the department of motor vehicles shall issue up to ten additional certificates of registration pursuant to section four hundred fifteen of the vehicle and traffic law for entities that manufacture or assemble zero-emissions vehicles and have no franchised motor vehicle dealers in New York.

§ 2. This act shall take effect immediately.