

# STATE OF NEW YORK

10896

## IN ASSEMBLY

April 8, 2026

Introduced by M. of A. SOLAGES -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to delaying the zero-emission school bus mandate

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

1 Section 1. Subdivisions 2 and 3 of section 3638 of the education law,  
2 as added by section 1 of subpart A of part B of chapter 56 of the laws  
3 of 2022, are amended to read as follows:  
4 2. (a) No later than July first, two thousand [~~twenty-seven~~] thirty-  
5 two, every school district shall:  
6 (i) only purchase or lease zero-emission school buses when purchasing  
7 or leasing new buses;  
8 (ii) include requirements in any procurement for school transportation  
9 services that any contractors providing transportation services for the  
10 school district must only purchase or lease zero-emission school buses  
11 when purchasing or leasing new school buses; and  
12 (iii) include requirements in any procurement for the manufacturing or  
13 retrofitting of a zero-emission school bus and charging or fueling  
14 infrastructure that the components and parts used or supplied in the  
15 performance of the contract or any subcontract thereto shall be produced  
16 or made in whole or substantial part in the United States, its territo-  
17 ries or possessions and that final assembly of the zero-emission school  
18 bus and charging or fueling infrastructure shall occur in the United  
19 States, its territories or possessions.  
20 (b) The commissioner, in consultation with the New York state energy  
21 research and development authority and office of general services, may  
22 waive the contracting requirements set forth in subparagraph (iii) of  
23 paragraph (a) of this subdivision if the commissioner determines that  
24 the requirements would not be in the public interest, would result in  
25 unreasonable costs, or that obtaining such zero-emission school buses  
26 and charging or fueling infrastructure components and parts in the  
27 United States would increase the cost of a school district's contract  
28 for zero-emission school buses and charging or fueling infrastructure by

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

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1 an unreasonable amount, or such zero-emission school busses and charging  
2 or fueling infrastructure components and parts cannot be produced, made,  
3 or assembled in the United States in sufficient and reasonably available  
4 quantities or of satisfactory quality. Such determination must be made  
5 on an annual basis no later than December thirty-first, after providing  
6 notice and an opportunity for public comment, and be made publicly  
7 available, in writing, on the department's website with a detailed  
8 explanation of the findings leading to such determination. If the  
9 commissioner has issued determinations for three consecutive years that  
10 no such waiver is warranted pursuant to this paragraph, then the commis-  
11 sioner shall no longer be required to provide the annual determinations  
12 required by this paragraph.

13 3. No later than July first, two thousand [~~thirty-five~~] forty, every  
14 school district shall:

15 (a) only operate and maintain zero-emission school buses; and

16 (b) include requirements in any procurement for school transportation  
17 services that any contractors providing transportation services for the  
18 school district must only operate zero-emission school buses when  
19 providing such transportation services to the school district.

20 § 2. This act shall take effect immediately.