§ 54-1521. Clean vehicle projects.

1. As used in this section, the following terms shall have the following meanings:

a. "eligible infrastructure project" shall mean any facility (not including a building and its structural components) that is publicly available and used primarily for the public charging and/or fueling of eligible vehicles as defined in this section, including but not limited to fast chargers, that has received required federal, state and local permits and authorizations, and complies with applicable zoning ordinances.

b. "eligible purchase" shall mean the purchase by a municipality to own or lease for a period of not less than thirty-six months of an eligible vehicle placed into service on or after April first, two thousand sixteen at a dealer located within New York.

c. "eligible vehicle" means and includes a new motor vehicle that:

(i) has four wheels;

(ii) was manufactured for use primarily on public streets, roads and highways;

(iii) the powertrain of which has not been modified from the original manufacturer's specifications;

(iv) has a maximum speed capability of at least fifty-five miles per hour; and

(v) is propelled at least in part by an electric motor and associated power electronics which provide acceleration torque to the drive wheels sometime during normal vehicle operation, and that draws electricity from a hydrogen fuel cell or from a battery that:

(A) has a capacity of not less than four kilowatt hours; and

(B) is capable of being recharged from an external source of electricity.

2. a. Until April 1, 2029, the commissioner, in consultation with the New York state energy research and development authority, is authorized to issue rebates until the annual allocation is exhausted to

municipalities toward the cost of any eligible infrastructure projects which support the development of clean vehicles.

b. The department, in consultation with the New York state energy research and development authority, shall determine the amount of the rebate for eligible infrastructure projects, provided that an applicant for such eligible infrastructure project rebate may receive a maximum rebate of two hundred fifty thousand dollars per facility, provided however that infrastructure projects that will maximize access by multiple public users who might otherwise not have access may receive a maximum of three hundred thousand dollars per facility.

3. a. Until April 1, 2029, the commissioner, in consultation with the New York state energy research and development authority, is authorized to issue rebates until the annual allocation is exhausted to municipalities toward the cost of eligible purchases of clean vehicles.

b. The department, in consultation with the New York state energy research and development authority, shall determine the amount of the rebate taking into consideration the electric range of the vehicle, provided that a rebate of an eligible purchase shall be not less than two thousand five hundred dollars per vehicle and not more than thirty thousand dollars per vehicle.

4. The department, in consultation with the New York state energy research and development authority, shall promulgate rules to implement and administer this title including rules relating to the forms required to claim a rebate, the required documentation for establishing eligibility for a rebate, procedures and guidelines for claiming a rebate, and the collection of economic impact data from applicants and any other requirements the department and New York state energy research and development authority deem necessary. The department shall determine and publish on its website on an ongoing basis the amount of available funding for rebates remaining in each fiscal year.

5. No later than April first, two thousand eighteen and annually thereafter, the department shall issue a report to the temporary

president of the senate and the speaker of the assembly detailing the status of its program to encourage the deployment of clean vehicles. Such report shall include:

a. the amount of funding dedicated by the department for the program in the preceding year;

b. the number of eligible purchases and eligible infrastructure projects for which a rebate was awarded;

c. the amount and geographic distribution of rebates; and

d. any other information the department deems necessary.