§ 56-0605. Clean-fueled buses projects.

1. The New York state energy research and development authority in cooperation with the department of transportation is authorized to make state assistance payments to "clean-fueled buses projects".

2. For the purposes of this section, the term "clean-fueled bus" shall mean any motor vehicle having a seating capacity of fifteen or more passengers in addition to the driver and used for the transportation of persons on public highways, that is fueled by compressed natural gas, propane, methanol, hydrogen, biodiesel or ethanol, or uses electricity, including electricity generated from solar energy, either stored or generated on-board, as its primary motive force. For the purposes of this section, the term "diesel-fueled school bus retrofit equipment" shall mean equipment and/or technologies, including, but not limited to, particulate traps or filters and catalytic converters that reduce emissions of particulate matter, hydrocarbons, oxides of nitrogen, carbon monoxide, or toxic air pollutants.

3. Any municipality, state agency or department, state public authority, or school district upon the approval of its governing body, may submit an application to the authority, in such a form and containing such information as the authority may require, for state assistance payments toward the cost of acquisition of clean-fueled buses, purchase and installation of diesel-fueled school bus retrofit equipment on diesel-fueled school buses and for installation of infrastructure, including depot construction directly associated with such acquisitions. The authority shall suballocate to the department such funds as are necessary for the development of a single facility to evaluate heavy duty vehicle emissions.

4. The authority shall review such application, and may approve, disapprove or recommend modifications thereto consistent with applicable law, criteria, standards or rules and regulations relative to such application. Reasons for disapproval shall be provided to the applicant in writing.

5. After approval of the application, the authority and the municipality, state agency or department, state public authority, or school district shall enter into a contract for state assistance payments towards the cost of such project which shall include the following provisions:

(a) A current estimate of the cost of the project as determined by the authority at the time of the execution of the contract;

(b) An agreement by the authority to make state assistance payments towards the cost of the project; and

(c) An agreement by the municipality, state agency or department, state public authority, or school district to proceed expeditiously with the project and to complete the project in accordance with plans approved by the authority and provide reports as required by the authority.