

HOUSE No. 2872

The Commonwealth of Massachusetts

PRESENTED BY:

Jonathan Hecht and Christine P. Barber

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to promote the transition to clean transportation fleets.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|-------------------------------|--|------------------|
| <i>Jonathan Hecht</i> | <i>29th Middlesex</i> | <i>1/18/2019</i> |
| <i>Christine P. Barber</i> | <i>34th Middlesex</i> | <i>1/18/2019</i> |
| <i>Ruth B. Balsler</i> | <i>12th Middlesex</i> | <i>1/25/2019</i> |
| <i>Joseph A. Boncore</i> | <i>First Suffolk and Middlesex</i> | <i>2/1/2019</i> |
| <i>Michelle L. Ciccolo</i> | <i>15th Middlesex</i> | <i>2/1/2019</i> |
| <i>Mike Connolly</i> | <i>26th Middlesex</i> | <i>1/24/2019</i> |
| <i>Julian Cyr</i> | <i>Cape and Islands</i> | <i>2/1/2019</i> |
| <i>Michael S. Day</i> | <i>31st Middlesex</i> | <i>1/28/2019</i> |
| <i>Mindy Domb</i> | <i>3rd Hampshire</i> | <i>1/30/2019</i> |
| <i>Michelle M. DuBois</i> | <i>10th Plymouth</i> | <i>1/29/2019</i> |
| <i>James B. Eldridge</i> | <i>Middlesex and Worcester</i> | <i>1/29/2019</i> |
| <i>Nika C. Elugardo</i> | <i>15th Suffolk</i> | <i>2/3/2019</i> |
| <i>Dylan A. Fernandes</i> | <i>Barnstable, Dukes and Nantucket</i> | <i>1/31/2019</i> |
| <i>Sean Garballey</i> | <i>23rd Middlesex</i> | <i>1/26/2019</i> |
| <i>Tami L. Gouveia</i> | <i>14th Middlesex</i> | <i>2/1/2019</i> |
| <i>James K. Hawkins</i> | <i>2nd Bristol</i> | <i>1/29/2019</i> |
| <i>Natalie M. Higgins</i> | <i>4th Worcester</i> | <i>1/30/2019</i> |
| <i>Patrick Joseph Kearney</i> | <i>4th Plymouth</i> | <i>2/1/2019</i> |

| | | |
|------------------------------|---------------------------------------|------------------|
| <i>Kay Khan</i> | <i>11th Middlesex</i> | <i>1/30/2019</i> |
| <i>Jack Patrick Lewis</i> | <i>7th Middlesex</i> | <i>2/1/2019</i> |
| <i>Jason M. Lewis</i> | <i>Fifth Middlesex</i> | <i>1/23/2019</i> |
| <i>Adrian C. Madaro</i> | <i>1st Suffolk</i> | <i>1/28/2019</i> |
| <i>Joan Meschino</i> | <i>3rd Plymouth</i> | <i>2/1/2019</i> |
| <i>Tram T. Nguyen</i> | <i>18th Essex</i> | <i>1/25/2019</i> |
| <i>Patrick M. O'Connor</i> | <i>Plymouth and Norfolk</i> | <i>2/1/2019</i> |
| <i>Denise Provost</i> | <i>27th Middlesex</i> | <i>1/31/2019</i> |
| <i>Rebecca L. Rausch</i> | <i>Norfolk, Bristol and Middlesex</i> | <i>1/30/2019</i> |
| <i>Maria Duaine Robinson</i> | <i>6th Middlesex</i> | <i>2/1/2019</i> |
| <i>David M. Rogers</i> | <i>24th Middlesex</i> | <i>2/1/2019</i> |
| <i>RoseLee Vincent</i> | <i>16th Suffolk</i> | <i>1/30/2019</i> |
| <i>Tommy Vitolo</i> | <i>15th Norfolk</i> | <i>1/31/2019</i> |
| <i>Bud L. Williams</i> | <i>11th Hampden</i> | <i>1/30/2019</i> |

HOUSE No. 2872

By Representatives Hecht of Watertown and Barber of Somerville, a petition (accompanied by bill, House, No. 2872) of Jonathan Hecht, Christine P. Barber and others relative to the transition to a clean, sustainable, and equitable transportation system. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act to promote the transition to clean transportation fleets.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the transition to a clean, sustainable, and equitable transportation system, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1.

2 Section 1 of Chapter 90 of the General Laws, as appearing in the 2016 Official Edition, is
3 hereby amended by adding the following definition:-

4 “Zero-emission vehicle”, a vehicle that produces zero exhaust emissions of any criteria
5 pollutant or precursor pollutant, or greenhouse gas, excluding emissions from air conditioning
6 systems, under any possible operating modes or conditions.

7 SECTION 2.

8 Section 1 of chapter 21N is hereby amended by inserting the following definitions:-

9 “Low-emission vehicle”, means any motor vehicle certified to the transitional low-
10 emission vehicle, low-emission vehicle, ultra-low emission vehicle, or zero-emission vehicle
11 standards established in Title 13, California Code of Regulations, section 1961.

12 “Motor vehicles”, as defined in section 1 of chapter 90.

13 “Motor vehicle fleet” is a person or entity who owns or maintains a fleet of at least
14 twenty-five motor vehicles registered in the Commonwealth of Massachusetts.

15 “Zero-emission vehicle”, as defined in section 1 of chapter 90.

16 SECTION 3.

17 Chapter 21N is hereby amended by inserting after section 7 the following sections: -

18 Section 7A. The secretary, in consultation with the department of energy resources,
19 department of transportation, department of environmental protection, and department of public
20 utilities, shall develop a transition to a zero-emission motor vehicle fleet program and
21 promulgate regulations to require the following motor vehicle fleet greenhouse gas emission
22 limits: (a) fifty percent of all motor vehicle fleets shall be low-emission or zero-emission by
23 2025; (b) seventy-five percent of all motor vehicle fleets shall be low-emission or zero-emission
24 by 2030; and (c) one hundred percent of all motor vehicle fleets shall be zero-emission by 2035.
25 In reaching the Commonwealth’s public fleet requirements defined in this section, the Secretary
26 shall prioritize for electrification any vehicles cited as medium- or high-priority by the study
27 commissioned pursuant to section 6 of chapter 448 of the acts of 2016. To meet the deadlines
28 established in this section, the secretary shall prioritize zero-emission vehicle deployment in

29 locations serving environmental justice populations as defined in the environmental justice
30 policy of the executive office of energy and environmental affairs, as may be amended.

31 Section 7B. Notwithstanding section 9A of chapter 7, vehicles subject to the zero-
32 emission motor vehicle fleet program include: (i) all motor vehicle fleets owned or leased by the
33 Commonwealth or a municipality, including vehicles owned or leased by quasi-public agencies
34 and emergency vehicles; (ii) all motor vehicle fleets used, at least in part, for the purpose of
35 commercial ride-sharing and ride-hailing and passenger transportation, including vehicles
36 regulated pursuant to chapter 159A½; (iii) all motor vehicle fleets used for public transportation
37 licensed to operate in the Commonwealth pursuant to chapter 90 or chapter 159A; and (iv) all
38 motor vehicle fleets used as commercial motor carriers, freight services, limousine services, and
39 taxis registered to operate in the Commonwealth.

40 Section 7C. The secretary, in consultation with the executive office for administration
41 and finance, shall require that new motor vehicles purchased or leased by the Commonwealth
42 shall be low-emission vehicles according to the following deadlines: (i) ten percent of all
43 purchases and leases in 2020; (ii) twenty percent of all purchases and leases in 2021.

44 Section 7D. The secretary, in consultation with the executive office for administration
45 and finance, shall require that new motor vehicles purchased or leased by the Commonwealth
46 shall be zero-emission vehicles according to the following deadlines: (i) forty percent of all
47 purchases and leases in 2022; (ii) sixty percent of all purchases and leases in 2023; (iii) eighty
48 percent of all purchases and leases in 2024; (iv) ninety percent of all purchases and leases in
49 2025; and (v) one hundred percent of all purchases and leases in 2026.

50 Section 7E. The secretary may assess penalty fees to a private owner or operator for
51 failure to meet the requirements of the zero-emission motor vehicle fleet program. Fees collected
52 pursuant to this section shall be used to maintain and construct resilient electric vehicle
53 infrastructure with funding priority for transportation infrastructure serving environmental justice
54 populations as defined by the executive office of energy and environmental affairs environmental
55 justice policy, as may be amended. The secretary may direct fees and proceeds from a market-
56 based policy or other pricing program toward zero-emission vehicle incentives, grant program
57 for municipalities, technical assistance, and resilient transportation infrastructure improvements.

58 SECTION 4.

59 Beginning in 2020 and every five years thereafter through 2040, the Secretary shall
60 submit a report to the Legislature that measures the Commonwealth's progress towards
61 implementation of the zero-emission motor vehicle fleet program. The report shall: (i) assess the
62 electric vehicle market in the Commonwealth; (ii) identify funding sources to serve as incentives
63 for purchasing zero-emission vehicles to offset costs to agencies, municipalities, and businesses;
64 (iii) identify barriers to increased penetration of zero-emission vehicles; and (iv) recommend
65 legislative and regulatory action to address those barriers.

66 SECTION 5.

67 The secretary may provide education, training, and technical assistance to motor vehicle
68 fleet operators to support zero-emission vehicle penetration.

69 SECTION 6.

70 The regulations required pursuant to sections 7A through 7E of said chapter 21N shall be
71 promulgated and in effect not later than 270 days following the effective date.