

**HOUSE . . . . . No. 3121**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***David M. Rogers***

*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 transitioning Massachusetts to electric buses.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>1/18/2019</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>1/24/2019</i>
<i>Frank A. Moran</i>	<i>17th Essex</i>	<i>1/24/2019</i>
<i>Dylan A. Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>1/24/2019</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/24/2019</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	<i>1/24/2019</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>1/25/2019</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>1/28/2019</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>1/28/2019</i>
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>	<i>1/28/2019</i>
<i>Stephan Hay</i>	<i>3rd Worcester</i>	<i>1/28/2019</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>	<i>1/29/2019</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>	<i>1/29/2019</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>1/30/2019</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>1/30/2019</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>1/30/2019</i>
<i>Daniel J. Hunt</i>	<i>13th Suffolk</i>	<i>1/31/2019</i>
<i>Thomas A. Golden, Jr.</i>	<i>16th Middlesex</i>	<i>1/31/2019</i>

<i>Rady Mom</i>	<i>18th Middlesex</i>	<i>1/31/2019</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>1/31/2019</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>1/31/2019</i>
<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>	<i>1/31/2019</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>	<i>1/31/2019</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>1/31/2019</i>
<i>Richard M. Haggerty</i>	<i>30th Middlesex</i>	<i>1/31/2019</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>2/1/2019</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>2/1/2019</i>
<i>William J. Driscoll, Jr.</i>	<i>7th Norfolk</i>	<i>2/1/2019</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/1/2019</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>2/1/2019</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>	<i>2/1/2019</i>

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By Mr. Rogers of Cambridge, a petition (accompanied by bill, House, No. 3121) of David M. Rogers and others relative to the operation of electric buses by transit agencies and school bus operators. Transportation.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
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An Act transitioning Massachusetts to electric buses.

*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. The General Laws are hereby amended by inserting after chapter 161d the  
2 following chapter:-

3           CHAPTER 161E

4           ZERO-EMISSIONS TECHNOLOGY

5           Section 1. The purpose of this chapter is to transition all of the Commonwealth’s buses to  
6 zero-emissions technology in order to avoid pollution of our air, reduce greenhouse gas  
7 emissions and improve the health and quality of life of Massachusetts residents.

8           Section 2. As used in this chapter the following words shall have the following meanings  
9 unless the context clearly requires otherwise:

10 “School bus” means any motor vehicle used for the transportation of school pupils and  
11 school personnel to and from school, or for the transportation of children enrolled in a camp or  
12 recreational program.

13 “School bus operator” means any school district or contractor which owns or operates  
14 school buses in the Commonwealth.

15 “Transit agency” or “transit agencies” means the Massachusetts Bay Transportation  
16 Authority, created under Chapter 161A and any of the regional transit authorities created under  
17 Chapter 161B.

18 “Electric bus” means a bus with zero tailpipe emissions. (A) A battery electric bus shall  
19 qualify as an electric bus, and (B) A fuel cell electric bus shall qualify as an electric bus.

20 Section 3. All transit agencies and school bus operators in the Commonwealth shall  
21 operate only electric buses by no later than December 31, 2035.

22 Section 4. In any given calendar year, transit agencies and school bus operators must  
23 operate a minimum number of electric buses as determined by the following schedule: (A) By  
24 December 31, 2025, twenty-five percent of the total number of buses must be electric buses; (B)  
25 By December 31, 2030, fifty percent of the total number of buses must be electric buses; and (C)  
26 By December 31, 2035, all buses must be electric buses.

27 Section 5. Each transit agency and school bus operator must submit an Electric Bus  
28 Rollout Plan (Rollout Plan) to the Secretary of Transportation that includes all of the following  
29 components: (A) A goal of full transition to electric buses by 2035 with careful planning that as  
30 much as possible avoids early retirement of conventional internal combustion engine buses; (B)

31 Identification of the types of electric bus technologies a transit agency or school bus operator is  
32 planning to deploy, such as battery electric or fuel cell electric bus; (C) A schedule for  
33 construction of facilities and infrastructure modifications or upgrades, including charging,  
34 fueling, and maintenance facilities, to deploy and maintain electric buses. This schedule must  
35 identify the general location of each facility, type of infrastructure, service capacity of an  
36 infrastructure, and a timeline for construction; (D) A schedule for electric and conventional  
37 internal combustion engine bus purchases and lease options. This schedule for bus replacements  
38 must identify the bus types, fuel types, and number of buses; (E) A schedule for conversion of  
39 conventional internal combustion engine buses to electric buses, if any. This schedule for bus  
40 conversion must identify the number of buses, bus types, the propulsion system being removed  
41 and converted to; (F) A plan on how the transit agency or school bus operator plans to deploy  
42 electric buses; (G) A training plan and schedule for electric bus drivers and maintenance and  
43 repair staff; and (H) Identification of potential funding sources.

44 Section 6. Transit agencies and school bus operators may request an extension or  
45 exemption from the electric bus requirements set forth in section 4 as provided in this section. A  
46 Request for Extension or Request for Exemption for a particular calendar year's compliance  
47 obligation must be submitted to the Secretary of Transportation by November 30th of that year.  
48 A Request for Extension must demonstrate as provided below that at least one of the following  
49 circumstances exists beyond the transit agency or school bus operator's control: (A) Delay in bus  
50 delivery is caused by the bus manufacturer; (B) Delay in bus delivery is caused by setback of  
51 construction schedule. A transit agency or school bus operator may request an extension of the  
52 requirements of section 4 if it cannot finalize the electric bus infrastructure in time to operate the  
53 purchased buses after delivery due to circumstances beyond the transit agency's or school bus

54 operator's control; (C) When available electric buses at the end of battery or fuel cell stack  
55 warranty period cannot meet a transit agency's or school bus operator's daily mileage needs. For  
56 this purpose, the transit agency or school bus operator must show that the miles travelled  
57 between charges of a depot charging battery electric bus cannot meet the transit agency's or  
58 school bus operator's daily operation needs for any bus in the existing fleet; (D) When a required  
59 electric bus type cannot be purchased by a transit agency or school bus operator due to financial  
60 hardship.