

HOUSE No. 3888

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas A. Golden, Jr.

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 relative to the purchase of new and pre-owned electric vehicles.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Thomas A. Golden, Jr.</i>	<i>16th Middlesex</i>	<i>2/15/2021</i>
<i>John Barrett, III</i>	<i>1st Berkshire</i>	<i>6/10/2021</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>6/11/2021</i>
<i>Andres X. Vargas</i>	<i>3rd Essex</i>	<i>6/11/2021</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>6/11/2021</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>6/16/2021</i>
<i>William C. Galvin</i>	<i>6th Norfolk</i>	<i>6/17/2021</i>
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>	<i>7/21/2021</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>7/21/2021</i>

HOUSE No. 3888

By Mr. Golden of Lowell, a petition (accompanied by bill, House, No. 3888) of Thomas A. Golden, Jr., and others relative to the purchase of new and pre-owned electric vehicles. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to the purchase of new and pre-owned electric vehicles.

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. Chapter 21A of the General Laws is hereby amended by adding the
2 following 2 sections:-

3 Section 29. The secretary or a designee, in consultation with the secretary of
4 transportation, shall establish a competitive grant program to provide monies and technical
5 assistance to a regional transit authority for the purpose of implementing innovative
6 transportation planning and fleet electrification projects. The monies shall be used to purchase
7 and use electric vehicles and associated electric vehicle charging infrastructure, including public
8 electric vehicle charging stations, as defined in section 16 of chapter 25A. Special consideration
9 shall be given to a regional transit authority to study the feasibility of replacing existing light-
10 duty vehicle and bus fleets with electric vehicles; provided, that the regional transit authority
11 provides service to a municipality that is authorized to receive funds for the purpose of
12 expanding their transportation system by creating an intermodal, interconnected system that

13 connects neighborhoods, college and university campuses and downtown commercial and
14 cultural districts pursuant to chapter 79 of the acts of 2014.

15 The secretary or a designee may consider a variety of funding sources to fund and
16 implement the grant program, including, but not limited to: (i) the use of alternative compliance
17 payments established and administered pursuant to section 11F of chapter 25A; and (ii) the use
18 of funds from the governor's capital spending plans.

19 The secretary shall not prohibit a regional transit authority participating in the program
20 from participating in: (i) electric vehicle infrastructure programs operated by an electric
21 distribution company to defray costs of deploying electric vehicle charging infrastructure,
22 including public electric vehicle charging stations; or (ii) a partnership with a state university,
23 community college or private fleet operator for shared utilization of electric vehicles and electric
24 vehicle charging infrastructure, including public electric vehicle charging stations, to defray
25 costs of deploying electric vehicle charging infrastructure, including public electric vehicle
26 charging stations, and purchasing and using electric vehicles. In awarding a grant under this
27 section, the secretary may consider participation in a program described in clause (i) or (ii) by a
28 regional transit authority.

29 To be eligible for the program, a regional transit authority shall file an application with
30 the secretary in a manner to be prescribed by the secretary consistent with the goals of the
31 program.

32 The secretary or a designee shall submit an annual report detailing the results of the
33 program to the house and senate chairs of the joint committee on telecommunications, utilities
34 and energy and the clerks of the house of representatives and senate.

35 Section 30. The secretary or a designee, in consultation with the carbon reduction
36 research center, authorized by section 16 of chapter 188 of the acts of 2016, may conduct a study
37 or pilot project or provide technical or financial assistance for the purpose of facilitating
38 innovative transportation planning, fleet electrification and emissions reductions.

39 SECTION 2. Chapter 25A of the General Laws is hereby amended by inserting after
40 section 11I the following 3 sections:-

41 Section 11J. The commissioner shall establish an electric vehicle dealership rebate
42 program to provide rebates to car dealerships in the commonwealth that sell or lease eligible
43 electric vehicles to consumers. An eligible vehicle shall not have a final purchase price of more
44 than \$75,000 and shall belong to 1 of the following classifications: (i) battery electric vehicles;
45 (ii) plug-in hybrid vehicles; (iii) fuel-cell electric vehicles; or (iv) zero-emission motorcycles.
46 The rebate shall be \$400 for each eligible vehicle sold or leased; provided, that not less than
47 \$200 of the rebate shall be provided to the salesperson that sold or leased the eligible vehicle;
48 and provided, further that the commission of the salesperson shall remain unaffected by the
49 receipt of a rebate.

50 The commissioner may promulgate rules and regulations necessary for the administration
51 of the electric vehicle dealership rebate program.

52 Section 11K. (a) The commissioner shall establish a program providing rebates to
53 consumers who purchase or lease a qualifying electric vehicle. For the purpose of this program,
54 qualifying electric vehicles are those that: (1) are made by a manufacturer primarily for use on
55 public streets, roads and highways; (2) have not been modified from the original manufacturer's
56 specifications; (3) have been acquired for use or lease by the consumer and not for resale; (4)

57 have a shipping weight not exceeding 8,500 pounds; (5) have a speed capability of at least 55
58 miles per hour; (6) are propelled, to a significant extent, by an electric motor that draws
59 electricity from a battery; and (7) belongs to one of the following classifications: (i) battery
60 electric vehicles; (ii) plug-in hybrid vehicles; (iii) fuel-cell electric vehicles; (iv) or zero-emission
61 motorcycles.

62 (b) The rebate for a battery electric vehicle, a plug-in hybrid electric vehicle or a fuel-cell
63 electric vehicle with a final purchase price of less than \$40,000 shall be no less than \$5,000.

64 (c) The commissioner shall promulgate rules and regulations necessary to administer the
65 rebate program established in this section; provided, that no rules or regulations shall be
66 established that prohibit, or have the effect of prohibiting, the eligibility of all vehicles belonging
67 to 1 of the following classifications: (i) battery electric vehicles; (ii) plug-in hybrid electric
68 vehicles; (iii) fuel-cell electric vehicles; or (iv) zero-emission motorcycles.

69 (d) The commissioner shall review the rules and regulations promulgated pursuant to
70 subsection (c), if any, on a biennial basis. If the commissioner deems it appropriate to make any
71 changes to the program, the commissioner shall prepare a report to be submitted to the joint
72 committee on telecommunications, utilities and energy and the joint committee on transportation
73 detailing the changes and providing a rationale for the changes.

74 Section 11L. (a) The commissioner shall establish a program providing rebates to
75 consumers who purchase a qualifying used or pre-owned electric vehicle. For the purpose of this
76 program, qualifying vehicles are those that: (1) are made by a manufacturer primarily for use on
77 public streets, roads and highways; (2) have not been modified from the original manufacturer's
78 specifications; (3) have been acquired for use by the consumer and not for resale; (4) have a

79 shipping weight not exceeding 8,500 pounds; (5) have a speed capability of at least 55 miles per
80 hour; (6) are propelled, to a significant extent, by an electric motor that draws electricity from a
81 battery; (7) are sold as used or pre-owned by a class 1 or class 2 licensee, pursuant to section 58
82 of chapter 140; and (8) belongs to one of the following classifications: (i) battery electric
83 vehicles; (ii) plug-in hybrid vehicles; (iii) fuel-cell electric vehicles; (iv) or zero-emission
84 motorcycles.

85 (b)(1) The rebate for a used or pre-owned battery electric vehicle, a plug-in hybrid
86 electric vehicle or a fuel-cell electric vehicle with a final purchase price of less than \$40,000
87 shall be no less than \$5,000.

88 (2) A consumer may apply for the rebate: (i) 90 days after purchasing a qualifying
89 vehicle with less than 40,000 miles; (ii) 60 days after purchasing a qualifying vehicle with less
90 than 79,999 miles; (iii) 30 days after purchasing a qualifying vehicle with less than 124,999
91 miles; or (iv) immediately after purchasing a qualifying vehicle with more than 125,000 miles.

92 (c) The commissioner shall promulgate rules and regulations necessary to administer the
93 use or preowned rebate program established in this section; provided, that no rules or regulations
94 shall be established that prohibit, or have the effect of prohibiting, the eligibility of all vehicles
95 belonging to one of the following classifications: (i) battery electric vehicles; (ii) plug-in hybrid
96 electric vehicles; (iii) fuel-cell electric vehicles; or (iv) zero-emission motorcycles.

97 (d) The commissioner shall review the rules and regulations promulgated pursuant to
98 subsection (c), if any, on a biennial basis. If the commissioner deems it appropriate to make any
99 changes to the program, the commissioner shall prepare a report to be submitted to the joint

100 committee on telecommunications, utilities and energy and the joint committee on transportation
101 detailing the changes and providing a rationale for the changes.

102 SECTION 3. Section 3 of chapter 448 of the acts of 2016 is hereby amended by striking
103 out the word “may”, in each instance, and inserting in place thereof, in each instance, the
104 following word:- shall.

105 SECTION 4. The department of energy resources shall conduct a study evaluating the
106 costs and benefits of implementing an instant rebate system that approves electric vehicle rebate
107 applications before or at the time of purchase or lease and provides rebates at the time of
108 purchase or lease. Within 180 days after the effective date of this act, the department shall submit
109 a report on its findings to the clerks of the house of representatives and senate, the chairs of the
110 joint committee on telecommunications, utilities and energy and the chairs of the joint committee
111 on transportation.

112 SECTION 5. The department of energy resources shall conduct a study evaluating the
113 costs and benefits of providing additional financial incentives, including, but not limited to,
114 rebates and zero-interest loans, to low-income individuals purchasing or leasing an electric
115 vehicle. Within 180 days after the effective date of this act, the department shall submit a report
116 on its findings to the clerks of the house of representatives and senate, the chairs of the joint
117 committee on telecommunications, utilities and energy and the chairs of the joint committee on
118 transportation.

119 SECTION 6. (a) Not later than January 1, 2022, all state agencies and authorities, as
120 defined in section 1 of chapter 29 of the General Laws, shall: (i) conduct an inventory of all
121 motor vehicles owned or used by the state agency or authority; and (ii) prepare and submit to the

122 governor, the clerks of the house of representatives and the senate, the joint committee on
123 telecommunications, utilities and energy and the joint committee on transportation a report
124 which shall contain a review of the state agency or authority's vehicle inventory and identify
125 which vehicles may be replaced with battery electric vehicles, plug-in hybrid electric vehicles or
126 fuel-cell electric vehicles.

127 (b) Notwithstanding any general or special law to the contrary, not later than January 1,
128 2022, all municipalities shall: (i) conduct an inventory of all motor vehicles owned or used by
129 the state agency or authority; and (ii) prepare and submit to the governor and the clerks of the
130 house of representatives and the senate a report containing a review of the state agency or
131 authority's vehicle inventory and identify which vehicles may be replaced with battery electric
132 vehicles, plug-in hybrid electric vehicles or fuel-cell electric vehicles.

133 SECTION 7. The department of energy resources, subject to appropriation, shall
134 promulgate regulations to expand financial incentives for: (i) state agencies and authorities, as
135 defined in section 1 of chapter 29 of the General Laws; (ii) municipalities; and (iii) public
136 institutions of higher education, as identified in section 5 of chapter 15A of the General Laws,
137 for the purposes of acquiring zero-emission vehicles and electric vehicle supply equipment;
138 provided, that the department shall offer information, training opportunities and test drives of
139 recommended zero-emission vehicles for public fleet administrators in connection with these
140 financial incentives. For the purposes of this section, the term "electric vehicle supply
141 equipment" shall mean a device or system designed and used to specifically transfer electrical
142 energy to a plug-in electric vehicle either as a charge transferred via a physical or wireless
143 connection, by loading a fully charged battery, or by other means.

144 SECTION 8. The Massachusetts Department of Transportation shall develop a regional
145 strategic plan to guide public and private development of electric vehicle supply equipment to
146 support electric vehicle charging needs at homes, workplaces within municipal commercial
147 districts and destinations throughout the commonwealth. In developing the regional strategic
148 plan the department shall convene a working group for the purposes of creating draft permitting
149 processes to incentivize infrastructure investment, including, but not limited to the development
150 of electric vehicle supply equipment, at priority locations within the commonwealth.

151 Not later than January 1, 2022, the department shall file a report, together with any drafts
152 of legislation, with the governor, the clerks of the house of representatives and the senate, the
153 joint committee on telecommunications, utilities and energy and the joint committee on
154 transportation detailing the department’s regional strategic plan and recommendations to
155 streamline the permitting processes to incentivize electric vehicle infrastructure development.

156 For the purposes of this section, the term “electric vehicle supply equipment” shall mean
157 a device or system designed and used to specifically transfer electrical energy to a plug-in
158 electric vehicle either as a charge transferred via a physical or wireless connection, by loading a
159 fully charged battery or by other means.