HOUSE DOCKET, NO. 3690 FILED ON: 2/19/2021

HOUSE . . . . . No. 4082

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 relative to retiring high emissions vehicles.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
David M. Rogers	*24th Middlesex*	*2/19/2021*
Paul A. Schmid, III	*8th Bristol*	*2/25/2021*
Steven C. Owens	*29th Middlesex*	*9/1/2021*
John J. Lawn, Jr.	*10th Middlesex*	*12/10/2021*
Jack Patrick Lewis	*7th Middlesex*	*12/17/2021*
Carmine Lawrence Gentile	*13th Middlesex*	*12/21/2021*
Vanna Howard	*17th Middlesex*	*12/22/2021*
Ruth B. Balser	*12th Middlesex*	*12/28/2021*
Nika C. Elugardo	*15th Suffolk*	*1/5/2022*
Susan L. Moran	*Plymouth and Barnstable*	*1/12/2022*
Mike Connolly	*26th Middlesex*	*1/13/2022*
Jason M. Lewis	*Fifth Middlesex*	*1/19/2022*
Paul McMurtry	*11th Norfolk*	*1/20/2022*
Jamie Zahlaway Belsito	*4th Essex*	*1/19/2022*
Sal N. DiDomenico	*Middlesex and Suffolk*	*1/24/2022*
Thomas M. Stanley	*9th Middlesex*	*1/24/2022*
Adrian C. Madaro	*1st Suffolk*	*1/26/2022*
Brian W. Murray	*10th Worcester*	*1/27/2022*

Erika Uyterhoeven	*27th Middlesex*	*1/31/2022*
Marcos A. Devers	*16th Essex*	*2/25/2022*

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HOUSE . . . . . No. 4082

By Mr. Rogers of Cambridge, a petition (accompanied by bill, House, No. 4082) of David M. Rogers and Paul A. Schmid, III for legislation to establish a high emissions vehicle retirement program. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

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

An Act relative to retiring high emissions vehicles.

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

Section 21N of the General Laws is hereby amended by adding the following section:-

Section 12. (a) As used in this section the following terms shall, unless the context clearly requires otherwise, have the following meanings:

"HEV retirement program" or "program", the high emissions vehicle retirement program established in subsection (b).

"High polluters", passenger vehicles and light- and medium-duty trucks with high levels of emissions, as determined by the secretary in consultation with the registrar of motor vehicles.

"Low income", a household income of not more than 80 per cent of the area median income, adjusted for household size, as periodically determined by the United States Department of Housing and Urban Development.

"Mobility option" a voucher for: (i) public transit; (ii) an electric or standard bicycle or other pedalled vehicle; (iii) a home charging appliance for an electric vehicle; or (iv) a car sharing organization, as defined in section 32J of chapter 90.

"Moderate income", a household income of not more than 120 per cent of the area median income, adjusted for household size, as periodically determined by the United States Department of Housing and Urban Development.

"Sufficient remaining life", a determination by the secretary that the high polluter would be capable of continued use, evidenced by proof of current registration, emissions inspection, as defined in section 142M of chapter 111, or other criteria determined by the secretary.

(b) There shall be, within the department, a high emissions vehicle retirement program designed to reduce emissions of greenhouse gases, improve air quality and benefit low-income state residents through the replacement of high polluters with cleaner and more efficient motor vehicles. The program shall be administered by the secretary. The secretary shall set specific, measurable goals for the replacement of high polluters annually.

(c) The HEV retirement program shall facilitate the voluntary retirement of high polluters. To be eligible for retirement through the program, a high polluter shall: (i) have been continuously registered in the commonwealth for 2 years prior to acceptance into the program or otherwise shown to have been driven primarily in the commonwealth for the last 2 years and not have been registered in another state or country in the last 2 years; and (ii) be determined to have sufficient remaining life. High polluters retired pursuant to the program shall be permanently removed from operation and dismantled.

(d) The HEV retirement program shall compensate low income high polluter owners not less than $1,500 for each high polluter retired through the program. The program may provide additional compensation to low income high polluter owners of not less than $7,500 towards a replacement motor vehicle or mobility option. The HEV retirement program shall compensate all other high polluter owners not less than $1,000 for each high polluter retired through the program. The program shall provide additional compensation of not less than $5,000 to all other high polluter owners towards a replacement motor vehicle or mobility option, not to exceed the amount of additional compensation provided to low income high polluter owners. The secretary may limit eligibility for all other high polluter owners based on income to ensure the program adequately services persons of low or moderate income.

(e) Compensation for either retired or replacement high polluters or a mobility option for low income high polluter owners may be increased as necessary to maximize the air quality benefits of the program while also ensuring participation by low income high polluter owners. Increases in compensation amounts may be based on factors including, but not limited to, the age of the retired or replaced high polluter, the emissions benefits of the retired or replaced high polluter, the emissions impact of any replacement motor vehicle, participation by low income high polluter owners and the location of the high polluter in an area of the commonwealth with the poorest air quality.

(f) Not later than March 1 annually, the secretary shall file a report on the HEV retirement program's activity with the clerks of the house of representatives and the senate, the joint committee on transportation, the joint committee on environment, natural resources and agriculture and the house and senate committees on ways and means. The report shall include: (i) the number of high polluters retired and replaced; (ii) an accounting of funds allocated to the

program and program expenditures by municipality; and (iii) areas of program success and proposed improvement, including whether waiting lists or backlogs exist and how incentive levels can be modified to maximize participation and emissions reductions. The secretary shall make annual reports available on the department website.

(g) The secretary, in consultation with the registrar of motor vehicles, shall promulgate regulations to implement this section.