

# SENATE . . . . . No. 2139

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## The Commonwealth of Massachusetts

PRESENTED BY:

*Joseph A. Boncore*

*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 zero-emission vehicle fleets by 2035.

PETITION OF:

| NAME:                      | DISTRICT/ADDRESS:                        |                  |
|----------------------------|------------------------------------------|------------------|
| <i>Joseph A. Boncore</i>   | <i>First Suffolk and Middlesex</i>       |                  |
| <i>Steven C. Owens</i>     | <i>29th Middlesex</i>                    | <i>2/25/2021</i> |
| <i>Jack Patrick Lewis</i>  | <i>7th Middlesex</i>                     | <i>2/26/2021</i> |
| <i>Joanne M. Comerford</i> | <i>Hampshire, Franklin and Worcester</i> | <i>3/8/2021</i>  |
| <i>Michael O. Moore</i>    | <i>Second Worcester</i>                  | <i>3/8/2021</i>  |
| <i>Sal N. DiDomenico</i>   | <i>Middlesex and Suffolk</i>             | <i>4/29/2021</i> |

# SENATE . . . . . No. 2139

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By Mr. Boncore, a petition (accompanied by bill, Senate, No. 2139) of Joseph A. Boncore, Steven C. Owens, Jack Patrick Lewis, Joanne M. Comerford and others for legislation to promote zero-emission vehicle fleets by 2035. Telecommunications, Utilities and Energy.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 1927 OF 2019-2020.]

## The Commonwealth of Massachusetts

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

An Act to promote zero-emission vehicle fleets by 2035.

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

3           “Electric vehicles” are vehicles that rely solely on electric motors for propulsion and  
4   includes non-combustion vehicles.

5           “Emergency vehicle”, any publicly owned vehicle operated by a peace officer in  
6   performance of their duties, any authorized emergency vehicle used for fighting fires or  
7   responding to emergency fire calls, any publicly owned authorized emergency vehicle used by an  
8   emergency medical technician or paramedic, or used for towing or servicing other vehicles, or  
9   repairing damaged lighting or electrical equipment, any motor vehicle of mosquito abatement,

vector control, or pest abatement agencies and used for those purposes, or any ambulance used by a private entity under contract with a public agency.

SECTION 2. Section 1 of chapter 21N is hereby amended by inserting the following definitions:

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

“Motor vehicle fleet”, a set of at least twenty-five motor vehicles under the same ownership or control registered in the Commonwealth of Massachusetts.

“Motor vehicle fleet serving a public purpose”, a motor vehicle fleet of which an portion is leased, rented, or contracted by the Commonwealth of Massachusetts or a municipality or any political subdivision thereof from a person or entity other than the Commonwealth of Massachusetts or a municipality to provide a public service or for its own use, including school buses and paratransit vehicles.

“Public motor vehicle fleet”, a motor vehicle fleet owned by the Commonwealth of Massachusetts, a transportation authority, a school district, a public university, a quasi-public agency, or a municipality or in the shared ownership of multiple municipalities, or any political subdivision thereof. A public motor vehicle fleet includes vehicles under the same ownership of the Commonwealth or a municipality, even if a portion of the motor vehicle fleet is under the management or control of separate secretariats, departments, agencies, or offices.

“Electric vehicle”, as defined in section 1 of chapter 90

SECTION 3. Chapter 21N is hereby amended by inserting after section 7 the following sections: -

Section 7A. The secretary, in consultation with the department of energy resources, department of transportation, department of environmental protection, and department of public utilities, shall develop a transition to an electric motor vehicle fleet program and promulgate regulations to require the following motor vehicle standards: (a) fifty percent of all public motor vehicle fleets and motor vehicle fleets serving a public purpose shall be electric vehicles by 2025; (b) seventy-five percent of all public motor vehicle fleets and motor vehicle fleets serving a public purpose shall be electric vehicles by 2030; and (c) one hundred percent of all public motor vehicle fleets motor vehicle fleets serving a public purpose shall be electric vehicles by 2035.

In reaching the Commonwealth's public fleet requirements defined in this section, the Secretary shall prioritize for electrification any vehicles cited as medium- or high-priority by the study commissioned pursuant to section 6 of chapter 448 of the acts of 2016. To meet the deadlines established in this section, the secretary shall prioritize electric vehicle deployment in locations serving environmental justice populations as defined in the general laws or, in the absence of a statutory definition, environmental justice policy of the executive office of energy and environmental affairs, as may be amended.

Section 7B. Notwithstanding section 9A of chapter 7, vehicles subject to the electric motor vehicle fleet program include: all public motor vehicle fleets, all motor vehicle fleets serving a public purpose, and all motor vehicle fleets that are owned, leased, rented, or contracted by quasi-public agencies, excluding emergency vehicles. The Department of Energy Resources, with input from the Department of Transportation, shall: (i) establish goals for private motor vehicle fleets conversion; (ii) identify and implement incentives to support electric vehicle purchases; (iii) work with owners of motor vehicle fleets used, at least in part, for the purpose of

commercial ride-sharing and ride-hailing and passenger transportation, including vehicles regulated pursuant to chapter 159A<sup>1/2</sup>; (iv) work with owners of motor vehicle fleets used for public transportation licensed to operated in the Commonwealth pursuant to chapter 90 or chapter 159A to transition to electric vehicles; and (v) work with owners of motor vehicle fleets used as commercial motor carriers, freight services, limousine services, and taxis registered to operate in the Commonwealth to transition to electric vehicles.

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

Section 7D. The Department of Energy Resources shall design an incentive program to encourage conversion of private fleets to electric vehicles. Should an owner of a motor vehicle fleet fail to comply with electric vehicle program requirements, the Department of Energy Resources shall remove the incentive for that owner and require reimbursement of the incentive. As part of the incentive program, the Department of Energy Resources shall ensure a specific pool of funds, not less than ten percent of all funds allocated to the incentive program, is available to municipalities to promote the transition to electric vehicle motor vehicle fleet.

SECTION 4. Beginning in 2022 and every five years thereafter through 2040, the Secretary shall submit a report to the Legislature that measures the Commonwealth's progress towards implementation of the electric motor vehicle fleet program. The report shall: (i) assess the electric vehicle market in the Commonwealth; (ii) identify funding sources to serve as

incentives for purchasing electric vehicles to offset costs to agencies, municipalities, and businesses; (iii) identify barriers to increased penetration of electric vehicles; and (iv) recommend legislative and regulatory action to address those barriers.

SECTION 5. The secretary may provide education, training, and technical assistance to motor vehicle fleet operators to support electric vehicle penetration.

SECTION 6. The department of public utilities may consider a petition from an electric distribution company to promote electric vehicle infrastructure through the utility ownership or management of programs, including if a petition is filed before the effective date of this section. The department of public utilities may approve the petition for electric vehicle infrastructure if it is in the public interest, consistent with the Commonwealth's greenhouse gas emissions limits.

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