

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia Stone Creem

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 incentivizing the adoption of zero-emission vehicles and the early retirement of high-emission vehicles.

PETITION OF:

NAME:

Cynthia Stone Creem

DISTRICT/ADDRESS:

First Middlesex and Norfolk

SENATE No.

By Ms. Creem, a petition (accompanied by bill) (subject to Joint Rule 12) of Cynthia Stone Creem for legislation to incentivize the adoption of zero-emission vehicles and the early retirement of high-emission vehicles. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

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

An Act incentivizing the adoption of zero-emission vehicles and the early retirement of high-emission 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. Section 16 of chapter 25A of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by inserting after the word “section”, in line 1, the following
3 words:- and sections 18, 19, and 20.

4 SECTION 2. Subsection (a) of said section 16 of said chapter 25A, as so appearing, is
5 hereby amended by adding the following definition:-

6 “Zero-emission vehicle”, a motor vehicle that produces no engine exhaust carbon
7 emissions.

8 SECTION 3. Said chapter 25A is hereby further amended by adding the following 3
9 sections:-

10 Section 18. (a) The commissioner shall, subject to appropriation, establish a program to
11 provide rebates or other financial incentives to consumers who purchase or lease and register and

12 insure in the commonwealth a zero-emission vehicle. Vehicles qualifying for rebates under this
13 section shall: (i) be manufactured primarily for use on public streets, roads and highways; (ii)
14 have an engine that is not modified from the original manufacturer's specifications; and (iii) have
15 been acquired for use or lease by the consumer and not for resale.

16 (b) For vehicles classified by the United States Department of Transportation as within
17 the Class 1 weight class, a rebate for purchase under this section shall not be less than \$2,500 per
18 vehicle; provided, that a rebate or incentive under this section shall be offered in addition to
19 rebates or incentives offered under section 19 of this chapter; and provided further, that no rebate
20 shall be provided for vehicles with a sales price that exceeds \$60,000.

21 (c) By no later than January 1, 2024, rebates or other financial incentives provided
22 pursuant to subsection (b) shall be offered at the point of sale.

23 (c) The commissioner, in consultation with the department of revenue, may promulgate
24 regulations to administer the program established under this section. At least once per calendar
25 year, the commissioner shall provide outreach to underserved consumers, consumers in rural
26 communities, and consumers in communities with a high percentage of low-income households
27 with information about the zero-emission vehicle incentive program established under this
28 section.

29 (d) The commissioner shall publish and regularly update data regarding program usage
30 including, but not limited to: (i) the number and amount of rebates or incentives provided each
31 month; (ii) the make, model and type of vehicle for which the rebate or incentive was issued; (iii)
32 the zip code in which the vehicle is registered; and (iv) the estimated total greenhouse gas
33 emissions reductions achieved from the rebates or incentives issued.

34 (e) Plug-in hybrid electric vehicles with a battery range of at least 30 miles shall be
35 considered zero-emission vehicles for the purposes of this section.

36 Section 19. (a) The commissioner shall, subject to appropriation, establish a program to
37 provide rebates or other financial incentives to consumers from households earning less than 400
38 percent of the federal poverty level who purchase or lease and register and insure in the
39 commonwealth a zero-emission vehicle. Vehicles qualifying for rebates under this section shall:

40 (i) be manufactured primarily for use on public streets, roads and highways; (ii) have an engine
41 that is not modified from the original manufacturer's specifications; and (iii) have been acquired
42 for use or lease by the consumer and not for resale.

43 (b) For vehicles classified by the United States Department of Transportation as within
44 the Class 1 weight class, a rebate for purchase under this section shall not be less than \$5,000 per
45 vehicle for consumers from households earning 250 percent of the federal poverty level or less,
46 and not less than \$500 for consumers from households earning more than 250 percent of the
47 federal poverty level and less than 400 percent of the federal poverty level; provided, that a
48 rebate under this section shall be offered in addition to rebates or incentives offered under
49 section 18 of this chapter; and provided further, that no rebate shall be provided for vehicles with
50 a sales price that exceeds \$60,000.

51 (c) The commissioner may promulgate regulations to administer the program established
52 under this section. At least once per calendar year, the commissioner shall provide outreach to
53 underserved consumers, consumers in rural communities, and consumers in communities with a
54 high percentage of low-income households with information about the zero-emission vehicle
55 incentive program established under this section.

56 (d) The commissioner shall publish and regularly update data regarding program usage
57 including, but not limited to: (i) the number and amount of rebates or incentives provided each
58 month; (ii) the make, model and type of vehicle for which the rebate or incentive was issued; (iii)
59 the zip code in which the vehicle is registered; and (iv) the estimated total greenhouse gas
60 emissions reductions achieved from the rebate or incentive issued.

61 (e) Plug-in hybrid electric vehicles with a battery range of at least 30 miles shall be
62 considered zero-emission vehicles for the purposes of this section.

63 Section 20. (a) As used in this section the following terms shall, unless the context clearly
64 requires otherwise, have the following meanings:

65 “Cash for combustors program” or “program”, the high-emission vehicle retirement
66 program established in subsection (b).

67 “High-impact vehicle”, passenger vehicles and light- and medium-duty trucks with high
68 levels of emissions, as determined by the commissioner in consultation with the Massachusetts
69 clean energy technology center and the registrar of motor vehicles.

70 “Low income”, a household income of not more than 80 per cent of the commonwealth’s
71 median income, adjusted for household size.

72 “Low-emission mobility option”, refers to (i) public transit; (ii) an electric or standard
73 bicycle or other pedaled vehicle; (iii) or a car sharing organization, as defined in section 32J of
74 chapter 90, with a fleet made up entirely of zero-emission vehicles.

75 “Moderate income”, a household income of not more than 120 per cent of the
76 commonwealth’s median income, adjusted for household size.

77 “Sufficient remaining life”, a determination by the commissioner that the high-impact
78 vehicle would be capable of continued use, evidenced by proof of current registration and
79 emissions inspection, as defined in section 142M of chapter 111, or other criteria determined by
80 the commissioner.

81 (b) The commissioner shall, subject to appropriation, establish a cash for combustors
82 program designed to reduce emissions of greenhouse gases, improve air quality, and benefit low-
83 income residents through the replacement of high-impact vehicles with zero-emission vehicles or
84 low-emission mobility options. The program shall be administered by the commissioner. The
85 commissioner shall set specific, measurable goals for the replacement of high-impact vehicles
86 annually.

87 (c) The cash for combustors program shall facilitate the voluntary retirement of high-
88 impact vehicles and the replacement of retired high-impact vehicles with zero-emission vehicles
89 or low-emission mobility options. To be eligible for retirement through the program, a high-
90 impact vehicle shall: (i) have been continuously registered in the commonwealth for 2 years prior
91 to acceptance into the program or otherwise shown to have been driven primarily in the
92 commonwealth for the prior 2 years and not have been registered in another state or country in
93 the prior 2 years; (ii) have been continuously registered to one owner or to the current owner’s
94 spouse, parents, children, brothers, or sisters for 2 year prior to acceptance into the program; and
95 (iii) be determined to have sufficient remaining life. High-impact vehicles retired pursuant to the
96 program shall be permanently removed from operation and dismantled.

97 (d) The cash for combustors program shall provide compensation of not less than \$1,500
98 to low-income high-impact vehicle owners for each high-impact vehicle retired through the

99 program. The program shall provide additional compensation of not less than \$2,500 to low-
100 income high-impact vehicle owners for a replacement zero-emission vehicle or a low-emission
101 mobility option voucher.

102 (e) The cash for combustors program shall provide compensation of not less than \$1,000
103 to high-impact vehicle owners who are not low-income for each high-impact vehicle retired
104 through the program. The program shall provide additional compensation to high-impact vehicle
105 owners who are not low-income for a replacement zero-emission vehicle or a low-emission
106 mobility option voucher; provided that the amount of additional compensation provided to a
107 high-impact vehicle owner who is not low-income shall not exceed the amount of additional
108 compensation provided to a low-income high-impact vehicle owner.

109 (f) Receipt of compensation under subsections (d) or (e) for a replacement zero-emission
110 vehicle shall not prevent a resident from receiving a rebate through another state program for the
111 same replacement vehicle.

112 (g) The commissioner may limit eligibility for high-impact vehicle owners who are not
113 low or moderate income to ensure the program adequately services persons of low or moderate
114 income.

115 (h) Compensation for either retired or replacement high-impact vehicles may be
116 increased as necessary to maximize the emission reduction and air quality benefits of the
117 program while also ensuring participation by low- and moderate-income high-impact vehicle
118 owners. Increases in compensation amounts may be based on factors including, but not limited
119 to, the age and fuel efficiency of the retired high-impact vehicle, the emissions benefits of
120 retiring high-impact vehicle, the emissions impact of any replacement motor vehicle,

121 participation by low- and moderate-income high-impact vehicle owners, and the location of the
122 high-impact vehicle in an area of the commonwealth with the poorest air quality.

123 (i) Not later than March 1 annually, the commissioner shall file a report on the cash for
124 combustors program's activity in the previous calendar year with the clerks of the house of
125 representatives and the senate, the joint committee on transportation, the joint committee on
126 environment, natural resources and agriculture and the house and senate committees on ways and
127 means. The report shall include: (i) the number and amount incentives provided; (ii) the make,
128 model and type of each retired high-impact vehicle and each replacement vehicle; (iii) the
129 municipality in which each replacement vehicle is registered; and (iv) the estimated total
130 greenhouse gas emissions reductions achieved from the retirement and replacement of high-
131 impact vehicles; (iv) an accounting of funds allocated to the program and program expenditures
132 by municipality; (v) areas of program success and proposed improvement, including whether
133 waiting lists or backlogs exist and how incentive levels can be modified to maximize
134 participation and emissions reductions. The commissioner shall make annual reports available on
135 the department website.

136 (j) The commissioner, in consultation with the Massachusetts clean energy technology
137 center registrar of motor vehicles, shall promulgate regulations to implement this section. At
138 least once per calendar year, the commissioner shall provide outreach to underserved consumers,
139 consumers in rural communities, and consumers in communities with a high percentage of low-
140 income households with information about the zero-emission vehicle incentive program
141 established under this section.

142 SECTION 4. Subsection (e) of section 18 of said chapter 25A and subsection (e) of
143 section 19 of said chapter 25A are hereby repealed.

144 SECTION 5. Section 4 of this act shall take effect on January 1, 2025.