

HOUSE No. 3139

The Commonwealth of Massachusetts

PRESENTED BY:

Christine P. Barber and Joan Meschino

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 setting deadlines to electrify school buses and public fleets and establishing programs to encourage private fleet electrification.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>1/18/2023</i>
<i>Joan Meschino</i>	<i>3rd Plymouth</i>	<i>1/18/2023</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/20/2023</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>1/23/2023</i>
<i>Steven Owens</i>	<i>29th Middlesex</i>	<i>1/28/2023</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/1/2023</i>
<i>Jennifer Balinsky Armini</i>	<i>8th Essex</i>	<i>2/4/2023</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/8/2023</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>2/8/2023</i>
<i>James C. Arena-DeRosa</i>	<i>8th Middlesex</i>	<i>2/9/2023</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>2/9/2023</i>
<i>Samantha Montaño</i>	<i>15th Suffolk</i>	<i>2/13/2023</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>	<i>2/14/2023</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>2/23/2023</i>
<i>Christopher Richard Flanagan</i>	<i>1st Barnstable</i>	<i>2/24/2023</i>
<i>Simon Cataldo</i>	<i>14th Middlesex</i>	<i>2/27/2023</i>
<i>William J. Driscoll, Jr.</i>	<i>7th Norfolk</i>	<i>3/6/2023</i>

<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>3/30/2023</i>
<i>Margaret R. Scarsdale</i>	<i>1st Middlesex</i>	<i>5/18/2023</i>
<i>William F. MacGregor</i>	<i>10th Suffolk</i>	<i>9/20/2023</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>11/21/2023</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>1/18/2024</i>

HOUSE No. 3139

By Representatives Barber of Somerville and Meschino of Hull, a petition (accompanied by bill, House, No. 3139) of Christine P. Barber, Joan Meschino and others relative to setting deadlines to electrify school buses and public fleets and establishing programs to encourage private fleet electrification. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act setting deadlines to electrify school buses and public fleets and establishing programs to encourage private fleet electrification.

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.

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

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

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

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

13 SECTION 2.

14 Section 1 of chapter 21N is hereby amended by inserting the following definitions:

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

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

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

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

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

30 SECTION 3.

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

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

41 In reaching the Commonwealth's public fleet requirements defined in this section, the
42 Secretary shall prioritize for electrification any vehicles cited as medium- or high-priority by the
43 study commissioned pursuant to section 6 of chapter 448 of the acts of 2016. To meet the
44 deadlines established in this section, the Secretary shall prioritize electric vehicle deployment in
45 locations serving environmental justice populations as defined in section 62 of chapter 30 of the
46 general laws.

47 Section 7B. Notwithstanding section 9A of chapter 7, vehicles subject to the electric
48 vehicle public motor vehicle fleet program include: all public motor vehicle fleets, all motor
49 vehicle fleets serving a public purpose, and all motor vehicle fleets that are owned, leased,
50 rented, or contracted, by quasi-public agencies, excluding emergency vehicles. The Department
51 of Energy Resources, with input from the Department of Environmental Protection, Department
52 of Public Utilities, and Department of Transportation and the intergovernmental coordinating

53 council established by the Acts of 2022, chapter 179, section 81, shall: (i) establish goals for
54 private motor vehicle fleets conversion; (ii) identify and implement incentives to support electric
55 vehicle purchases; (iii) work with owners of motor vehicle fleets used for public transportation
56 licensed to operate in the Commonwealth pursuant to chapter 90 or chapter 159A to transition to
57 electric vehicles; and (iv) work with owners of motor vehicle fleets used as commercial motor
58 carriers, freight services, limousine services, and taxis registered to operate in the
59 Commonwealth to transition to electric vehicles.

60 Section 7C. The Secretary, in consultation with the executive office for administration
61 and finance, shall require that new motor vehicles purchased by the Commonwealth shall be
62 electric vehicles according to the following deadlines: (i) sixty percent of all purchases in 2023;
63 (ii) eighty percent of all purchases in 2024; (iii) ninety percent of all purchases in 2025; and (iv)
64 one hundred percent of all purchases in 2026. The Secretary or designee, in consultation with the
65 Executive Office of Administration and Finance shall establish a centralized joint procurement
66 process for public fleets to reduce procurement costs.

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

75 SECTION 4.

76 Beginning in 2024 and every five years thereafter through 2040, the Secretary shall
77 submit a report to the Legislature that measures the Commonwealth's progress towards
78 implementation of the electric vehicle motor vehicle fleet program. The report shall: (i) assess
79 the electric vehicle market in the Commonwealth; (ii) identify funding sources to serve as
80 incentives for purchasing electric vehicles to offset costs to agencies, municipalities, and
81 businesses; (iii) identify barriers to increased penetration of electric vehicles; and (iv)
82 recommend legislative and regulatory action to address those barriers.

83 SECTION 5.

84 The Secretary may provide education, training, and technical assistance to motor vehicle
85 fleet operators to support electric vehicle penetration. The Secretary may pursue federal funding
86 opportunities to support electric vehicle penetration throughout the Commonwealth in
87 accordance with the requirements of Chapter 21N.

88 SECTION 6.

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