

SENATE No. 2218

The Commonwealth of Massachusetts

PRESENTED BY:

Brendan P. Crighton

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 for school bus and public fleet electrification, and programs to encourage electrification of private fleets.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/8/2023</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>2/14/2023</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>3/17/2023</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>3/31/2023</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>5/22/2023</i>
<i>Pavel Payano</i>	<i>First Essex</i>	<i>11/13/2023</i>

SENATE No. 2218

By Mr. Crighton, a petition (accompanied by bill, Senate, No. 2218) of Brendan P. Crighton, Jack Patrick Lewis and John F. Keenan for legislation to promote zero-emission vehicle fleets by 2035. Transportation.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2139 OF 2021-2022.]

The Commonwealth of Massachusetts

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

An Act setting deadlines for school bus and public fleet electrification, and programs to encourage electrification of private fleets.

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 2020
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,

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

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

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

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

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

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

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

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

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

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

46 Section 7B. Notwithstanding section 9A of chapter 7, vehicles subject to the electric
47 vehicle public motor vehicle fleet program include the following: all public motor vehicle fleets,
48 all motor vehicle fleets serving a public purpose, and all motor vehicle fleets that are owned,
49 leased, rented, or contracted, by quasi-public agencies, excluding emergency vehicles. The
50 Department of Energy Resources, with input from the Department of Environmental Protection,
51 Department of Public Utilities, Department of Transportation, and the intergovernmental
52 coordinating council established by the Acts of 2022, chapter 179, section 81, shall: (i) establish
53 goals for private motor vehicle fleets conversion; (ii) identify and implement incentives to

54 support electric vehicle purchases; (iii) work with owners of motor vehicle fleets used for public
55 transportation licensed to operate in the Commonwealth pursuant to chapter 90 or chapter 159A
56 to transition to electric vehicles; and (iv) work with owners of motor vehicle fleets used as
57 commercial motor carriers, freight services, limousine services, and taxis registered to operate in
58 the Commonwealth to transition to electric vehicles.

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

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

74 SECTION 4. Beginning in 2024 and every five years thereafter through 2040, the
75 Secretary shall submit a report to the Legislature that measures the Commonwealth's progress

76 towards implementation of the electric vehicle motor vehicle fleet program. The report shall: (i)
77 assess the electric vehicle market in the Commonwealth; (ii) identify funding sources to serve as
78 incentives for purchasing electric vehicles to offset costs to agencies, municipalities, and
79 businesses; (iii) identify barriers to increased penetration of electric vehicles; and (iv)
80 recommend legislative and regulatory action to address those barriers.

81 SECTION 5. The Secretary may provide education, training, and technical assistance to
82 motor vehicle fleet operators to support electric vehicle penetration. The Secretary may pursue
83 federal funding opportunities to support electric vehicle penetration throughout the
84 Commonwealth in accordance with the requirements of Chapter 21N.

85 SECTION 6. The regulations required pursuant to sections 7A through 7D of said chapter
86 21N shall be promulgated and in effect not later than 270 days following the effective date.