

JOINT COMMITTEE ON TELECOMMUNICATIONS, UTILITIES, AND ENERGY

BILL SUMMARY

BILL NO. H.3572

TITLE: An Act relative to the sale of zero-emission vehicles

SPONSOR: Representative Michael J. Soter

COMMITTEE: Telecommunications, Utilities, and Energy

HEARING DATE: May 14, 2025

PRIOR HISTORY: *New file*

CURRENT LAW:

Section 142K of Chapter 111 of the General Laws pertains to motor vehicle emissions standards for vehicles in model years 1993 and after (“late models”). Known as the “Advanced Clean Cars II” rule, it requires that Massachusetts adopt California’s motor vehicle emissions standards, as long as the CA standards achieve greater motor vehicle emissions reductions than federal standards.

Sections 46 and 96 of Chapter 179 of the Acts of 2022 make the sale of non-zero emissions vehicles by an auto dealership after January 1, 2035 an unfair or deceptive act or practice under Chapter 93B of the General Laws, which regulates business practices between motor vehicle manufacturers, distributors, and dealers.

Section 9A of Chapter 7 of the General Laws pertains to state passenger vehicles and light-duty pickup trucks, and the purchase of hybrid or alternative fuel vehicles.

SUMMARY:

SECTION 1

This legislation directs the Commonwealth’s Department of Environmental Protection (MassDEP) to annually review and analyze each auto manufacturer’s compliance with the Advanced Clean Cars Rule II regulatory requirements established in 310 CMR 7.40. This analysis will include the following information:

- Total number of vehicles each auto manufacturer sells and delivers to its franchisee dealers for retail sale in Massachusetts.
- A breakdown of the mix of zero-emission vehicles (ZEVs) and internal combustion engine (ICE) vehicles compared with the corresponding vehicle inventory composition and totals over the previous 5 years.

If, following this annual review, MassDEP determines that the number of ZEVs sold and delivered to franchised dealers in MA by manufacturers (with an aggregate market share of at least 75% of all vehicles sold in MA as of 12/31/2024) fails to achieve the required annual ZEV percentage goal set forth in the

regulations (310 CMR 7.40), then MassDEP may postpone the implementation of the state's Advanced Clean Cars Rule II manufacturer ZEV production and delivery requirements for any model year.

This legislation also clarifies that MassDEP may, in any year, postpone adoption of ZEV percentage requirements for one model year or more if MassDEP (in consultation with MassDOT) determines that the number of publicly available EV charging stations does not exist in sufficient numbers across MA to meet the charging demands of all ZEVs required to be sold and delivered to auto dealers at the annual percentage requirements set pursuant to the Advanced Clean Cars Rule II.

SECTION 2

If MassDEP delays implementation of the annual ZEV sales requirements pursuant to the Advanced Clean Cars Rule II, at any time and for any reason, then the current statutory requirement that the sale of non-zero emissions vehicles by an auto dealership after January 1, 2035 be classified as an unfair or deceptive act or practice under Chapter 93B (Sections 46 and 96 of Chapter 179 of the Acts of 2022) will be automatically be repealed.

SECTION 3

Adds language to Section 9A of Chapter 7 of the General Laws requiring that, beginning July 1, 2025, all state purchases or leases for new medium- and heavy-duty trucks shall be for zero-emissions models.

By June 30, 2035, the Commonwealth must ensure that its medium- and heavy-duty fleet (whether owned or leased) is comprised of zero-emissions vehicles.

In the event that there aren't enough battery-powered electric medium- and heavy-duty trucks to meet the Commonwealth's needs, or that such medium- and heavy-duty trucks cannot be supported by the state's existing charging infrastructure, the Secretary of Administration and Finance will be allowed to purchase medium- or heavy-duty trucks that are not battery EVs.

No later than July 1st, the Secretary of Administration and Finance shall submit an annual statement to the House and Senate Clerks and the chairs of the Legislature's Joint Committee on Transportation. This statement will detail progress made towards meeting the requirements of Section 9A of Chapter 7, including:

- A complete listing of medium- and heavy-duty trucks leased, owned, or assigned to each state agency
- A description of each medium- and heavy-duty truck – including the year, make, and model – denoting whether the truck is powered by an internal combustion engine (ICE), a mild hybrid engine, a plug-in hybrid motor, a fully battery electric motor, a hydrogen fuel cell electric motor, a compressed liquified natural gas engine, a propane engine, or other means of propulsion.
- If a zero-emission medium- or heavy-duty truck is not purchased or leased, the Secretary of A&F shall provide, in each instance, a specific explanation as to why a zero-emission vehicle could not have sufficiently fulfilled the intended functions.

SECTION 4

Adds language to the end of Section 142K of Chapter 111 of the General Laws directing MassDEP to not implement or enforce the Advanced Clean Trucks (ACT) and Heavy-Duty Omnibus (HDO) regulations, as dictated by the California Air Resources Board's CA Low Emission Vehicle Program, earlier than July 1, 2029.

SECTION 5

The provisions of this legislation will be effective upon passage.