

SENATE No. 1927

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>Mike Connolly</i>	<i>26th Middlesex</i>	<i>1/25/2019</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	<i>1/28/2019</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>	<i>1/29/2019</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>1/29/2019</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>1/30/2019</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>1/31/2019</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>1/31/2019</i>
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>	<i>2/1/2019</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>2/1/2019</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>2/1/2019</i>

SENATE No. 1927

By Mr. Boncore, a petition (accompanied by bill, Senate, No. 1927) of Joseph A. Boncore, Mike Connolly, Ruth B. Balser, Kevin G. Honan and other members of the General Court for legislation to promote zero-emission vehicle fleets by 2035. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

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.

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

3 “Low-emission vehicle”, means any motor vehicle certified to the transitional low-
4 emission vehicle, low-emission vehicle, ultra-low emission vehicle, or zero-emission vehicle
5 standards established in Title 13, California Code of Regulations, section 1961.

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

7 “Motor vehicle fleet” is a person or entity who owns or maintains a fleet of at least
8 twenty-five motor vehicles registered in the Commonwealth of Massachusetts.

9 “Zero-emission vehicle”, means an electric vehicle not as defined in chapter 40 of
10 Section 22A.

11 SECTION 2. Chapter 21N is hereby amended by inserting after section 7 the following
12 sections: -

13 Section 7A. The secretary, in consultation with the department of energy resources,
14 department of transportation, department of environmental protection, and department of public
15 utilities, shall develop a transition to a zero-emission motor vehicle fleet program and
16 promulgate regulations to require the following motor vehicle fleet greenhouse gas emission
17 limits: (a) fifty percent of all motor vehicle fleets shall be low-emission or zero-emission by
18 2025; (b) seventy-five percent of all motor vehicle fleets shall be low-emission or zero-emission
19 by 2030; and (c) one hundred percent of all motor vehicle fleets shall be zero-emission by 2035.
20 In reaching the Commonwealth's public fleet requirements defined in this section, the Secretary
21 shall prioritize for electrification any vehicles cited as medium- or high-priority by the study
22 commissioned pursuant to section 6 of chapter 448 of the acts of 2016. To meet the deadlines
23 established in this section, the secretary shall prioritize zero-emission vehicle deployment in
24 locations serving environmental justice populations as defined in the environmental justice
25 policy of the executive office of energy and environmental affairs, as may be amended.

26 Section 7B. Notwithstanding section 9A of chapter 7, vehicles subject to the zero-
27 emission motor vehicle fleet program include: (i) all motor vehicle fleets owned or leased by the
28 Commonwealth, including vehicles owned or leased by quasi-public agencies and emergency
29 vehicles; (ii) all motor vehicle fleets used, at least in part, for the purpose of commercial ride-
30 sharing and ride-hailing and passenger transportation, including vehicles regulated pursuant to
31 chapter 159A½; (iii) all motor vehicle fleets used for public transportation licensed to operated in
32 the Commonwealth pursuant to chapter 90 or chapter 159A; and (iv) all motor vehicle fleets used

33 as commercial motor carriers, freight services, limousine services, and taxis registered to operate
34 in the Commonwealth.

35 Section 7C. The secretary, in consultation with the executive office for administration
36 and finance, shall require that new motor vehicles purchased or leased by the Commonwealth
37 shall be low-emission vehicles according to the following deadlines: (i) ten percent of all
38 purchases and leases in 2020; (ii) twenty percent of all purchases and leases in 2021.

39 Section 7D. The secretary, in consultation with the executive office for administration
40 and finance, shall require that new motor vehicles purchased or leased by the Commonwealth
41 shall be zero-emission vehicles according to the following deadlines: (i) forty percent of all
42 purchases and leases in 2022; (ii) sixty percent of all purchases and leases in 2023; (iii) eighty
43 percent of all purchases and leases in 2024; (iv) ninety percent of all purchases and leases in
44 2025; and (v) one hundred percent of all purchases and leases in 2026.

45 Section 7E. The secretary may assess penalty fees to a private owner or operator for
46 failure to meet the requirements of the zero-emission motor vehicle fleet program. Fees collected
47 pursuant to this section shall be used to maintain and construct resilient electric vehicle
48 infrastructure with funding priority for transportation infrastructure serving environmental justice
49 populations as defined by the executive office of energy and environmental affairs environmental
50 justice policy, as may be amended. The secretary may direct fees and proceeds from a market-
51 based policy or other pricing program toward zero-emission vehicle incentives, grant program
52 for municipalities, technical assistance, and resilient transportation infrastructure improvements.

53 SECTION 3. Beginning in 2020 and every five years thereafter through 2040, the
54 Secretary shall submit a report to the Legislature that measures the Commonwealth's progress

55 towards implementation of the zero-emission motor vehicle fleet program. The report shall: (i)
56 assess the electric vehicle market in the Commonwealth; (ii) identify funding sources to serve as
57 incentives for purchasing zero-emission vehicles to offset costs to agencies, municipalities, and
58 businesses; (iii) identify barriers to increased penetration of zero-emission vehicles; and (iv)
59 recommend legislative and regulatory action to address those barriers.

60 SECTION 4. The secretary may provide education, training, and technical assistance to
61 motor vehicle fleet operators to support zero-emission vehicle penetration.

62 SECTION 5. The department of public utilities may consider a petition from an electric
63 distribution company to promote electric vehicle infrastructure through the utility ownership or
64 management of programs, including if a petition is filed before the effective date of this section.
65 The department of public utilities may approve the petition for electric vehicle infrastructure if it
66 is in the public interest, consistent with the Commonwealth's greenhouse gas emissions limits.

67 SECTION 6. The regulations required pursuant to sections 7A through 7E of said chapter
68 21N shall be promulgated and in effect not later than 270 days following the effective date.