

SENATE No. 2476

The Commonwealth of Massachusetts

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

SENATE, January 23, 2020.

The committee on Senate Ways and Means to whom was referred the Senate Bill to advance electric vehicle adoption (Senate, No. 1923) (also based on Senate, No. 1927), - reports, recommending that the same ought to pass with an amendment substituting a new draft entitled "An Act to accelerate the transition of cars, trucks and buses to carbon-free power (Senate, No. 2476).

For the committee,
Michael J. Rodrigues

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

An Act to accelerate the transition of cars, trucks and buses to carbon-free power.

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 2018
2 Official Edition, is hereby amended by inserting after the word “section”, in line 1, the following
3 words:- and section 18.

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 emissions.

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

9 Section 18. (a) The commissioner shall, subject to appropriation, establish a program to
10 provide rebates or other financial incentives to consumers who purchase or lease a zero-emission
11 vehicle. Vehicles qualifying for rebates under this section shall: (i) be manufactured primarily for

12 use on public streets, roads and highways; (ii) not be modified from the original manufacturer's
13 specification; and (iii) have been acquired for use or lease by the consumer and not for resale.

14 (b) A rebate under this section shall not be less than \$1,500 per vehicle; provided,
15 however, that no rebate shall be available for a vehicle with a sales price that exceeds \$50,000.

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

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

26 SECTION 4. Section 94 of chapter 143 of the General Laws, as appearing in the 2018
27 Official Edition, is hereby amended by adding the following 2 subsections:-

28 (s) In consultation with the department of energy resources, to adopt and fully integrate
29 into the state building code requirements that new construction of commercial and residential
30 buildings with not less than 10 parking spaces, as well as major reconstruction, renovation and
31 repair of such buildings, include building electrical service and conduit systems sufficient to
32 support the minimum number of zero-emission vehicle parking spaces; provided, however, that
33 the minimum number of zero-emission vehicle parking spaces shall be at least 1 parking space

34 or not less than 5 per cent of the total number of parking spaces, whichever is greater. For the
35 purposes of this section, “zero-emission vehicle” shall mean a motor vehicle that produces no
36 engine exhaust emissions.

37 (t) In consultation with the department of energy resources, to adopt and fully integrate
38 into the state building code requirements that new construction of parking facilities with not less
39 than 10 parking spaces, as well as major reconstruction, renovation and repair of such facilities,
40 include building electrical service and conduit systems sufficient to support the minimum
41 number of zero-emission vehicle parking spaces; provided, however, that the minimum number
42 of zero-emission vehicle parking spaces shall be at least 1 parking space or not less than 5 per
43 cent of the total number of parking spaces, whichever is greater.

44 SECTION 5. Section 3 of chapter 448 of the acts of 2016 is hereby amended by striking
45 out, in lines 3 and 4, the words “may include requirements for electric vehicle charging for
46 residential and appropriate commercial” and inserting in place thereof the following words:-
47 shall include requirements for electric vehicle charging for appropriate residential and
48 commercial.

49 SECTION 6. Said chapter 448 is hereby further amended by inserting after section 6 the
50 following 2 sections:-

51 Section 6A. (a) The department of energy resources, in consultation with the
52 Massachusetts Department of Transportation, shall create and maintain an inventory of motor
53 vehicles owned or leased by the commonwealth. The inventory shall include a critical
54 replacement list consisting of non-zero emission vehicles that, if the non-zero emission vehicle
55 needed to be replaced, replacement with a zero-emission vehicle is operationally feasible and

56 results in a positive lifecycle cost benefit. The critical replacement list shall include, but not be
57 limited to, vehicles that are approaching the end of their useful lives or are otherwise reasonable
58 candidates for replacement and whose replacement presents a high or medium priority
59 opportunity for near-term electrification as indicated in the study completed pursuant to section 6
60 and published on December 22, 2017 or any successive analysis or study required by law or
61 commissioned by the department of energy resources or Massachusetts Department of
62 Transportation. Not less than every 3 years, the department of energy resources, in consultation
63 with the Massachusetts Department of Transportation, shall revise and update the analysis of
64 opportunities for near-term electrification of vehicles owned, purchased or leased by the
65 commonwealth. For the purposes of this section, “commonwealth” shall include, but not be
66 limited to, the Massachusetts Bay Transportation Authority, Massachusetts Port Authority and
67 Massachusetts Water Resources Authority, but shall not include municipalities, regional school
68 districts and regional transit authorities authorized pursuant to chapter 161B of the General
69 Laws. Nothing in this section shall prevent or limit the commonwealth from purchasing a zero-
70 emission vehicle for a vehicle or purpose not identified on the critical replacement list.

71 (b) Not later than January 1, 2024, each purchase or lease by the commonwealth of a
72 motor vehicle identified on the critical replacement list under subsection (a) by the
73 commonwealth, including, but not limited to, the Massachusetts Port Authority and
74 Massachusetts Water Resources Authority, but not including the Massachusetts Bay
75 Transportation Authority, municipalities, regional school districts and regional transit authorities
76 authorized pursuant to chapter 161B of the General Laws, shall be a zero-emission vehicle. The
77 commonwealth shall prioritize the deployment of zero-emission vehicles in underserved
78 communities and communities with a high percentage of low-income households.

79 (c) Beginning January 1, 2030, each purchase or lease of a passenger bus by the
80 Massachusetts Bay Transportation Authority shall be a zero-emission vehicle; provided,
81 however, that the Massachusetts Bay Transportation Authority shall seek to replace non-zero
82 emission passenger buses with zero-emission passenger buses before January 1, 2030.

83 (d) The Massachusetts Bay Transportation Authority shall operate exclusively zero-
84 emission passenger buses not later than December 31, 2040; provided, however, that a non-zero
85 emission passenger bus purchased before January 1, 2030 may be operated after December 31,
86 2040 if its operation is strictly necessary to maintain service levels and prompt plans are in place
87 to replace the bus with a zero-emission passenger bus.

88 (e) The secretary of transportation and the Massachusetts Bay Transportation Authority,
89 in consultation with the executive office of energy and environmental affairs, shall develop and
90 complete a plan to operate exclusively zero-emission passenger buses not later than December
91 31, 2040. The plan shall prioritize the deployment of zero-emission buses on routes that serve
92 underserved communities and communities with a high percentage of low-income households.
93 Not later than December 31, 2021, the plan shall be filed with the clerks of the senate and house
94 of representatives and the joint committee on transportation and be made publicly available on
95 the Massachusetts Department of Transportation's website.

96 Every 5 years until the Massachusetts Bay Transportation Authority operates exclusively
97 zero-emission passenger buses, the secretary shall submit updated progress reports on the
98 implementation of this subsection, including, but not limited to, the number of zero-emission
99 passenger buses operated, the number of non-zero emission passenger buses operated, barriers to
100 increased numbers of zero-emission passenger buses, if any, and recommended legislative or

101 regulatory action needed to address barriers or otherwise promote compliance with this section.
102 For the purposes of this section, “zero-emission vehicle” shall mean a motor vehicle that
103 produces no engine exhaust emissions.

104 Section 6B. The department of energy resources, in consultation with the Massachusetts
105 Department of Transportation, shall conduct, publish and periodically update a study of the
106 opportunities for near-term electrification of vehicles owned or leased by municipalities, regional
107 school districts and regional transit authorities authorized pursuant to chapter 161B of the
108 General Laws. The study shall include: (i) an analysis of the cost of electrification and possible
109 methods to meet those costs including, but not limited to, state and federal financial support; and
110 (ii) recommendations for the allowance within the fleets of non-electric emergency vehicles.
111 The department of energy resources shall publish the study not later than 18 months after the
112 effective date of this act and shall thereafter publish revisions of the study not less than every 3
113 years.

114 SECTION 7. Notwithstanding any general or special law to the contrary, not later than 1
115 year after the effective date of this act, the department of energy resources shall publish a guide
116 to assist cities and towns in developing processes and policies to expand electric vehicle parking
117 in municipally-owned parking spaces and lots including, but not limited to, an analysis or guide
118 to pricing incentives for parking for zero-emission vehicles and reserved parking for zero-
119 emission vehicles. The guide shall include a review of similar programs established in other
120 states. For the purposes of this section, “zero-emission vehicle” shall mean a motor vehicle that
121 produces no engine exhaust emissions.

122 SECTION 8. The motor vehicle inventory required by section 6A of chapter 448 of the
123 acts of 2016 shall be established not later than June 1, 2021.

124 SECTION 9. Amendments to the state building and electric code required under section 4
125 shall be in effect not later than January 1, 2021.