

HOUSE No. 3572

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Soter

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 relative to the sale of zero-emission vehicles.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Michael J. Soter</i>	<i>8th Worcester</i>	<i>1/17/2025</i>
<i>Donald R. Berthiaume, Jr.</i>	<i>5th Worcester</i>	<i>2/4/2025</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>2/6/2025</i>
<i>Steven George Xiarhos</i>	<i>5th Barnstable</i>	<i>3/10/2025</i>

HOUSE No. 3572

By Representative Soter of Bellingham, a petition (accompanied by bill, House, No. 3572) of Michael J. Soter and others relative to the sale of zero-emission vehicles. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act relative to the sale of zero-emission vehicles.

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. Subsection (a) of section 142K of chapter 111 of the General Laws, as
2 appearing in the 2022 Official Edition, is hereby amended by inserting at the end thereof the
3 following:-

4 Notwithstanding any general or special law, rule, or regulation to the contrary, beginning
5 January 1, 2025, the department annually shall review and analyze each manufacturer's
6 compliance with 310 CMR 7.40, titled Advanced Clean Cars II Rule, promulgated effective on
7 December 30, 2022, which shall include, but not be limited to, the total number of vehicles each
8 manufacturer sells and delivers to its franchisee dealers for retail sale in the commonwealth as
9 well as a breakdown of the mix of zero emission vehicles and internal combustion engine
10 vehicles compared with vehicle inventory composition and totals over the previous five years.
11 After such annual review, the department may postpone, for any model year, implementation of
12 the zero emission vehicle requirements that manufacturers must produce and deliver for sale to

its franchisee dealers in the commonwealth at the level of required percentages as established in Title 13 of the California Code of Regulations at section 1962.2 and calculated pursuant to said section 1962.2(g)(8) and as promulgated by the commonwealth at said 310 CMR 7.40, if the department determines that the number of zero emission vehicles sold and delivered to franchised dealers by all such manufacturers, whose market share together in the aggregate comprise at least seventy percent of all vehicles sold in the commonwealth as of December 31, 2024, fails to achieve, as an individual manufacturer, the required annual goal as set forth in said regulations; provided, however, that the department, in any year, may postpone adopting the zero emission vehicle percentage requirements for one model year or more if the department, in consultation with the department of transportation, determines that the number of publicly available charging stations for zero emission vehicles does not exist in sufficient numbers across the commonwealth to meet the charging needs of all zero emission vehicles that are required to be sold and delivered to dealers at the percentage requirements as set forth annually in said 13 CCR 1962.2 and said 310 CMR 7.40. For the purposes of this paragraph, the term "zero emission vehicle" shall mean a vehicle that produces zero exhaust emissions of any criteria pollutant (or precursor pollutant) or greenhouse gas under any possible operational modes or conditions.

SECTION 2. If the department of environmental protection delays, at any time for any length of time, implementation of the annual zero emission vehicle sales requirements pursuant to subsection (a) of section 142K of chapter 111 of the General Laws, Sections 46 and 96 of chapter 179 of the Acts of 2022 are hereby repealed.

SECTION 3. Section 9A of chapter 7 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting the following 3 paragraphs:

Beginning in July 1, 2025, all Commonwealth purchases or leases for new medium- and heavy-duty trucks shall be for models that are zero emissions vehicles. Further, the Commonwealth shall ensure that its fleet of medium- and heavy-duty, whether owned or leased, is comprised of zero emission vehicles by June 30, 2035. Zero emission vehicle shall mean a battery electric medium- or heavy-duty truck.

In the event that there are no battery electric medium- and heavy-duty trucks that meet the Commonwealth's needs or cannot be supported by the Commonwealth's existing charging infrastructure for medium- and heavy-duty trucks, the secretary shall be permitted to purchase any other medium- or heavy-duty truck that is not a battery electric vehicle.

The secretary shall submit to the clerks of the senate and house of representatives and the chairs of the joint committee on transportation a statement annually, not later than July 1, detailing the progress made in meeting the requirements of this section. The report shall include: (i) a complete listing of medium- and heavy-duty trucks leased, owned or assigned to each agency; and (ii) a description of each medium- and heavy-duty truck, including the year, make and model, whether the truck is powered by an internal combustion engine, a mild hybrid engine, a plug-in hybrid motor, a fully battery electric motor, a hydrogen fuel cell electric motor, a compressed liquefied 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 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. Section 142K of chapter 111 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting the following at the end thereof:-

Notwithstanding any general or special law to the contrary, the Department of Environmental Protection shall not implement or enforce the Advanced Clean Trucks and Heavy-Duty Omnibus regulations, as modified to apply to Massachusetts, earlier than July 1, 2029. As used in this section, "Advanced Clean Trucks regulation" means the portion of the California Low Emission Vehicle program that was adopted by the California Air Resources Board, and which would require manufacturers of medium-duty and heavy-duty motor vehicles to sell an increasing percentage of zero-emissions vehicles, including the provisions codified in sections 1905, 1963, and sections 1963.1 through 1963.5 of Title 13 of the California Code of Regulations. "Heavy Duty Omnibus regulation" means the portion of the California Low Emission Vehicle program that was adopted by the California Air Resources Board regulation in title 13, California Code of Regulations sections 2139.5, and 2169.1 through 2169.8 and any other related amendments relative to the emissions standards for nitrogen oxide for medium-duty and heavy-duty motor vehicles.

SECTION 5. This act shall take effect upon passage.