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SB 6250 An Act Concerning the State Fleet

Government Administration and Elections Committee
March 16, 2007

The Department of Administrative Services supports the policy underlying Committee Bill 6250, An Act Concerning the State Fleet. DAS is committed to the protection of the environment and the conservation of natural resources. To that end, DAS has already made – and will continue to make – the purchase of low-emission, high-gas-mileage vehicles a priority. Indeed, as of the beginning of February 2007, 55% of the state's fleet consists of alternative fuel or hybrid vehicles. Of the 538 vehicles that DAS added to the fleet in 2006, 80% were alternative fueled or hybrid.

As the Committee may know, the state is required to abide by the federal government's very detailed requirements regarding the composition of the fleet. Any legislation enacted by the state must be consistent with the obligations imposed by the Energy Policy Act of 1992 – otherwise known as EPAct. In particular, EPAct requires that 75% of the State's light duty motor vehicle fleet – essentially, vehicles weighing 8,500 pounds or less and not including law enforcement, emergency and non-road vehicles – consist of "alternative fueled vehicles," as defined by the federal statute. **The requirements of HB 6250 conflict with EPAct.**

Specifically, DAS is concerned that the efficiency requirements imposed by HB 6250 will impede the State's ability to comply with EPAct. HB 6250 requires that, as of January 1, 2008, "any car or light duty truck purchased by the state shall have an **efficiency rating that is in the top third** of all vehicles in such purchased vehicle's class and fifty per cent of such cars and light duty trucks shall be an alternative fueled, hybrid electric or plug-in electric vehicle," and as of January 1, 2012, 100% of the state's cars and light duty trucks be alternative fueled, hybrid electric or plug-in electric vehicles. HB 6250 does not define "efficiency rating;" however, common usage of this term indicates that a vehicle's efficiency rating relates to the miles per gallon of fuel consumed by the vehicle.

Hybrid vehicles, which make up approximately 4% of the state's fleet, are highly fuel-efficient. At this time, however, **hybrid vehicles do not qualify as "alternative fueled vehicles" under federal law.** Governor Rell has taken the lead with the other New England states to appeal to the U.S. Department of Energy to revise this requirement and allow hybrids to qualify under the EPAct acquisition requirements. Although the Governor is continuing to work with the federal government on this issue, as it now

stands, if the state must purchase hybrids in order to comply with HB 6250, it will violate federal law.

As noted above, EPA requires the state to purchase alternative fueled vehicles. While alternative fueled vehicles do not consume as much *gasoline* as average cars, generally they are not very efficient. For example, the majority of the state's alternative fueled vehicles are powered by ethanol fuel (E85), which get approximately 17 miles per gallon of E85. Therefore, under HB 6250, the state would not be able to purchase E85 vehicles. **Because the efficiency requirement significantly restricts the state's ability to purchase alternative fueled vehicles, Connecticut would not be able to comply with both the federal law and the requirements of HB 6250.**

In addition, the U.S. Department of Energy has not yet issued regulations governing either the process for requesting exemptions from EPA's requirement that 75% of the state's light duty motor vehicle fleet consist of alternative fueled vehicles or the criteria by which the EPA would analyze such requests. Moreover, only the federal DOE – not DAS or Connecticut's Department of Environmental Protection – has the authority to determine whether Connecticut would qualify for such an exemption. Accordingly, DAS is concerned that **compliance with this provision of Section 2 of the Bill is impossible.**

In conclusion, DAS stands ready to work with this Committee and other members of the legislature to identify language that will best achieve the goals of HB 6250 without conflicting with the state's obligations under federal law.