



House of Representatives

General Assembly

File No. 448

January Session, 2009

Substitute House Bill No. 6390

House of Representatives, April 2, 2009

The Committee on Environment reported through REP. ROY, R. of the 119th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT EXEMPTING STATE EMERGENCY AND LAW ENFORCEMENT VEHICLES FROM CERTAIN EMISSION AND FUEL STANDARDS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 4a-67d of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The fleet average for cars or light duty trucks purchased by the
4 state shall: (1) On and after October 1, 2001, have a United States
5 Environmental Protection Agency estimated highway gasoline mileage
6 rating of at least thirty-five miles per gallon and on and after January 1,
7 2003, have a United States Environmental Protection Agency estimated
8 highway gasoline mileage rating of at least forty miles per gallon, (2)
9 comply with the requirements set forth in 10 CFR 490 concerning the
10 percentage of alternative-fueled vehicles required in the state motor
11 vehicle fleet, and (3) obtain the best achievable mileage per pound of
12 carbon dioxide emitted in its class. The alternative-fueled vehicles
13 purchased by the state to comply with said requirements shall be

14 capable of operating on natural gas or electricity or any other system
15 acceptable to the United States Department of Energy that operates on
16 fuel that is available in the state.

17 (b) Notwithstanding any other provisions of this section, (1) on and
18 after January 1, 2008: (A) At least fifty per cent of all cars and light
19 duty trucks purchased or leased by the state shall be alternative-fueled,
20 hybrid electric or plug-in electric vehicles, (B) all alternative-fueled
21 vehicles purchased or leased by the state shall be certified to the
22 California Air Resources Board's Low Emission Vehicle II Ultra Low
23 Emission Vehicle Standard, and (C) all gasoline-powered light duty
24 and hybrid vehicles purchased or leased by the state shall, at a
25 minimum, be certified to the California Air Resource Board's Low
26 Emission Vehicle II Ultra Low Emission Vehicle Standard, and (2) on
27 and after January 1, 2012, one hundred per cent of such cars and light
28 duty trucks shall be alternative-fueled, hybrid electric or plug-in
29 electric vehicles. If the Commissioner of Administrative Services
30 determines that the vehicles required by the provisions of this
31 subsection are not available for purchase or lease, the Commissioner of
32 Administrative Services shall include an explanation of such
33 determination in the annual report described in subsection (f) of this
34 section.

35 (c) The provisions of subsections (a) and (b) of this section shall not
36 apply to any [vehicle of the Department of Public Safety that the
37 Commissioner of Public Safety designates as necessary for the
38 Department of Public Safety to carry out its mission, provided the
39 Commissioner of Administrative Services approves of such
40 designation and, in consultation with the Commissioner of Public
41 Safety, provides an explanation of why the provisions of subsections
42 (a) and (b) of this section should not apply to such vehicles] law
43 enforcement motor vehicle or emergency motor vehicle, as such terms
44 are defined in 10 CFR 490.2.

45 (d) As used in this section, the terms "car" and "light duty truck"
46 shall be as defined in the United States Department of Energy

47 Publication DOE/CE-0019/8, or any successor publication.

48 (e) Not later than October 1, 2007, the Commissioner of
49 Administrative Services shall file a report with the joint standing
50 committees of the General Assembly having cognizance of matters
51 relating to government administration, the environment and energy
52 that includes: (1) Details on the composition of the state fleet,
53 including, but not limited to, a listing of all vehicles owned, leased or
54 used by the Departments of Transportation and Public Safety, the
55 make, model and fuel type of vehicles that compose the state fleet and
56 the amount of fuel, including alternative fuels, that each vehicle uses,
57 and (2) a copy of the determination made by the Commissioner of
58 Environmental Protection pursuant to subsection (a) of section 2 of
59 public act 07-4 of the June special session*. The Departments of
60 Transportation and Public Safety shall submit all data requested of
61 such departments by the Department of Administrative Services in
62 connection with the preparation of such report.

63 (f) On or before January 1, 2008, and annually thereafter, the
64 Commissioner of Administrative Services shall file a report with the
65 joint standing committees of the General Assembly having cognizance
66 of matters relating to government administration, the environment and
67 energy that includes: (1) Details on the composition of the state fleet,
68 including, but not limited to, a listing of all vehicles owned, leased or
69 used by the Departments of Transportation and Public Safety, the
70 make, model and fuel type of vehicles that compose the state fleet and
71 the amount of fuel, including alternative fuels, that each vehicle uses,
72 (2) any changes to the determination made by the Commissioner of
73 Environmental Protection pursuant to subsection (a) of section 35 of
74 public act 07-4 of the June special session* or any update concerning
75 the waiver application submitted pursuant to subsection (a) of section
76 35 of public act 07-4 of the June special session*, as applicable, (3) a
77 listing of any vehicle exempted pursuant to subsection (c) of this
78 section, [along with the Commissioner of Administrative Services'
79 explanation for such exemption,] (4) any changes or amendments to
80 the plan required by subsection (b) of section 35 of public act 07-4 of

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 10 \$	FY 11 \$
Dept. of Administrative Services - Fleet Operations	GF - None	None	None

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill exempts all law enforcement and emergency motor vehicles from certain emission and fuel efficiency standards. Under current law, Department of Public Safety vehicles are exempt under certain conditions. This bill would expand the exemption to law enforcement and emergency motor vehicles in all state agencies. For example, agencies impacted by this bill would include; the Department of Motor Vehicles, Department of Environmental Protection, Department of Correction, and UCONN.

This bill has no fiscal impact on the Department of Administrative Services (which is the purchasing agent for state vehicles) as it does not impact the cost of law enforcement and emergency vehicles nor does it change the emission standards for the state fleet.

Source: Department of Administrative Services

OLR Bill Analysis**sHB 6390*****AN ACT EXEMPTING STATE EMERGENCY AND LAW ENFORCEMENT VEHICLES FROM CERTAIN EMISSION AND FUEL STANDARDS.*****SUMMARY:**

This bill exempts all law enforcement and emergency motor vehicles, as defined in federal law, from certain emission and fuel efficiency standards that vehicles leased or bought by the state must meet. Under current law, Department of Public Safety vehicles are exempt if the commissioner designates them as necessary to carry out the department's mission, the administrative services (DAS) commissioner approves the designation, and both commissioners explain why the standards should not apply to the designated vehicles.

EFFECTIVE DATE: Upon passage

BACKGROUND***Fuel Efficiency Standards for State Vehicles***

By law, cars and light-duty trucks the state purchases must have a fleet average fuel efficiency of at least 40 miles per gallon, and the state fleet must meet federal requirements for the proportion of vehicles that run on alternative fuel. Starting January 1, 2008:

1. at least half the cars and light-duty trucks the state purchases or leases must be alternative-fueled, hybrid electric, or plug-in electric vehicles;
2. all alternative-fueled vehicles purchased or leased must be certified to the California Air Resources Board (CARB) Low Emission Vehicle (LEV) II Ultra Low Emission Vehicle standard; and

- 3. all gasoline-powered light-duty and hybrid vehicles purchased or leased must be certified at least to CARB’s LEV II Ultra Low Emission Vehicle standard.

Starting July 1, 2012, all state cars and light-duty trucks must be alternative-fueled, hybrid electric, or plug-in electric vehicles. If the DAS commissioner determines that such vehicles are not available for purchase or leases, she must explain why in her annual reports.

Federal Definition of Law Enforcement and Emergency Motor Vehicles (10 CFR § 490)

Federal law defines a “law enforcement vehicle” as any vehicle (1) primarily operated by civilians or military police officers or sheriffs; Federal Bureau of Investigation personnel; the Drug Enforcement Administration or other federal enforcement agency; state highway patrol, municipal law enforcement, or other similar enforcement agencies and (2) used for law enforcement activities. These activities include the chase, apprehension, or surveillance of people engaged in or potentially engaged in unlawful activities.

Federal law defines an “emergency motor vehicle” as any vehicle legally authorized by a government authority to exceed the speed limit to transport people and equipment to and from situations in which speed is required to save lives or property (e.g., rescue vehicle, fire truck, and ambulance).

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Change of Reference
 Yea 20 Nay 0 (02/17/2009)

Government Administration and Elections Committee

Joint Favorable Change of Reference
 Yea 15 Nay 0 (03/06/2009)

Environment Committee

Joint Favorable

Yea 24 Nay 6 (03/18/2009)