

SENATE, No. 4225

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED DECEMBER 6, 2021

Sponsored by:

Senator BOB SMITH

District 17 (Middlesex and Somerset)

SYNOPSIS

Establishes certain State goals for sale of zero-emission medium-duty and heavy-duty trucks, and certain off-road vehicles and equipment.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning zero-emission vehicle sales in New Jersey and
2 supplementing Title 26 of the Revised Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. As used in sections 1 through 5 of this act:

8 “Gross vehicle weight rating” or “GVWR” means the value
9 specified by the manufacturer as the loaded weight of a single or
10 combination (articulated) vehicle.

11 “Heavy duty truck” means an on-road vehicle with a gross
12 vehicle weight rating of greater than 32,000 pounds.

13 “Medium-duty truck” means an on-road vehicle with a gross
14 vehicle weight rating of greater than 8,500 pounds and less than
15 32,000 pounds.

16 “Off-road vehicle or equipment” means any vehicle or
17 equipment that is used primarily for construction, loading, or other
18 off-road purposes and, when in use, is not commonly operated on a
19 roadway except when used for roadway construction and repair,
20 including, but not limited to, rollers, scrapers, excavators, rubber
21 tire loaders, bulldozers, and off-highway trucks. "Off-road
22 equipment" shall include equipment and vehicles that are not used
23 primarily for transportation and are considered off-road equipment
24 and vehicles but, for the purposes of moving the equipment and
25 vehicles from place to place on the roadways of the State, are
26 required to have "in-transit" plates issued by the New Jersey Motor
27 Vehicle Commission. "Off-road equipment" shall not include any
28 non-mobile equipment, such as a generator or pump, and shall not
29 include boats or trains.

30 “Zero-emission vehicle” or "ZEV" means a vehicle certified as a
31 zero emission vehicle pursuant to the California Air Resources
32 Board zero emission vehicle standards for the applicable model
33 year, but shall not include an advanced technology partial zero
34 emission vehicle or a partial zero emission vehicle.

35
36 2. a. There are established the following State goals for the
37 sale, lease, and operation of on-road vehicles and off-road vehicles
38 and equipment in the State:

39 (1) 100 percent of new medium-duty and heavy-duty trucks
40 offered for sale or lease for registration in the State shall be zero-
41 emission vehicles by December 31, 2045; and

42 (2) 100 percent of off-road vehicles and equipment offered for
43 sale or lease for registration in the State shall be zero-emission
44 vehicles and equipment by December 31, 2035, where feasible as
45 determined by the Department of Environmental Protection.

46 b. The Department of Environmental Protection, to the extent
47 consistent with federal law, shall adopt, pursuant to the

1 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-
2 1 et seq.), policies and regulations to accomplish the goals
3 established pursuant to this section.

4 c. No later than one year after the effective date of this act, and
5 every three years thereafter, until 2045, the Department of
6 Environmental Protection shall prepare and submit to the Governor
7 and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the
8 Legislature, a report that:

9 (1) assesses the current state of the zero-emission vehicle
10 market in New Jersey;

11 (2) measures the State's progress towards achieving the goals
12 established in subsection a. of this section;

13 (3) identifies barriers to the achievement of the goals; and

14 (4) makes recommendations for legislative or regulatory action
15 to address barriers to the achievement of the goals.
16

17 3. a. No later than two years after the effective date of this act,
18 the Department of Environmental Protection shall develop
19 strategies to achieve the State goals, established pursuant to section
20 2 of this act. The strategies shall be consistent with safety
21 requirements and be technologically feasible and cost-effective.

22 b. The strategies established pursuant to this section and the
23 information concerning the goals established pursuant to section 2
24 of this act shall be published on the Department of Environmental
25 Protection's Internet website and updated annually.
26

27 4. a. No later than two years after the effective date of this act,
28 the Department of Environmental Protection, in consultation with
29 the Department of Transportation, and any other State agencies that
30 the Department of Environmental Protection deems necessary, shall
31 develop a zero-emission vehicle market development strategy. The
32 strategy, at a minimum shall:

33 (1) ensure coordinated and expeditious implementation of the
34 policies, programs, and regulations necessary to achieve the goals
35 established pursuant to section 2 of this act; and

36 (2) outline a plan to increase accessibility to new and used zero-
37 emission vehicle markets for all residents of the State.

38 b. The Department of Environmental Protection shall update
39 the zero-emission vehicle market development strategy every three
40 years.
41

42 5. No later than three years after the effective date of this act,
43 the Department of Environmental Protection, in consultation with
44 the Department of Transportation, and any other State agencies that
45 the Department of Environmental Protection deems necessary, shall
46 identify near-term actions and investment strategies to improve

1 sustainable transportation, freight, and transit options within the
2 State, including, but not limited to:

3 (1) supporting bicycle and pedestrian options, particularly in
4 low-income and disadvantaged communities in the State, by
5 incorporating safe and accessible infrastructure, where appropriate;
6 and

7 (2) supporting light-duty, medium-duty, and heavy-duty zero-
8 emission vehicles and infrastructure as part of larger transportation
9 projects, where appropriate.

10

11 6. This act shall take effect immediately.

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14 STATEMENT

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16 This bill establishes goals concerning the sale, lease, and
17 operation of certain on-road vehicles and off-road vehicles and
18 equipment in the State. Specifically, the bill sets a goal that 100
19 percent of new medium-duty and heavy-duty trucks offered for sale
20 or lease for registration in the State would be zero-emission
21 vehicles by December 31, 2045. As defined in the bill, “heavy duty
22 truck” means an on-road vehicle with a gross vehicle weight rating
23 of greater than 32,000 pounds, “medium-duty truck” means an on-
24 road vehicle with a gross vehicle weight rating of greater than 8,500
25 pounds and less than 32,000 pounds, and “zero-emission vehicle” or
26 “ZEV” means a vehicle certified as a zero emission vehicle pursuant
27 to the California Air Resources Board zero emission vehicle
28 standards for the applicable model year, but does not include an
29 advanced technology partial zero emission vehicle or a partial zero
30 emission vehicle.

31 The bill also establishes the goal that 100 percent of off-road
32 vehicles and equipment would be zero-emission vehicles and
33 equipment by December 31, 2035, where feasible. As defined in
34 the bill, “off-road vehicle or equipment” means any vehicle or
35 equipment that is used primarily for construction, loading, and other
36 off-road purposes and, when in use, is not commonly operated on a
37 roadway except when used for roadway construction and repair,
38 including, but not necessarily limited to, rollers, scrapers,
39 excavators, rubber tire loaders, bulldozers, and off-highway trucks.

40 The bill would require the Department of Environmental
41 Protection (DEP) to adopt policies and regulations to accomplish
42 the goals established pursuant to the bill. The DEP would be
43 required to, within one year of the bill’s effective date, submit a
44 report to the Governor and the Legislature that, at a minimum: (1)
45 assesses the current state of the zero-emission vehicle market in
46 New Jersey; (2) measures the State's progress towards achieving the
47 goals established in subsection a. of this section; (3) identifies

1 barriers to the achievement of the goals; and (4) makes
2 recommendations for legislative or regulatory action to address
3 barriers to the achievement of the goals.

4 Within two years of the bill's effective date, the DEP would be
5 required to develop strategies to achieve the bill's goals. The
6 strategies required pursuant to the bill would be required to be
7 consistent with safety requirements and be technologically feasible
8 and cost-effective. The DEP would be required to publish the
9 strategies on their Internet website and update the strategies
10 annually.

11 Within two years of the bill's effective date, the DEP, in
12 consultation with the Department of Transportation (DOT), and any
13 other State agencies that the DEP deems necessary, would be
14 required to develop a zero-emission vehicle market development
15 strategy. The strategy, at a minimum would be required to: (1)
16 ensure coordinated and expeditious implementation of the policies,
17 programs, and regulations necessary to achieve the goals
18 established pursuant to section 2 of this act; and (2) outline a plan to
19 increase accessibility to new and used zero-emission vehicle
20 markets for all residents of the State. The DEP would be required
21 to update the zero-emission vehicle market development strategy
22 every three years.

23 The bill would also require, the DEP, in consultation with the
24 DOT, and any other State agencies the DEP deems necessary, to
25 identify near-term actions and investment strategies to improve
26 sustainable transportation, freight, and transit options within the
27 State, including, but not limited to: (1) supporting bicycle and
28 pedestrian options, particularly in low-income and disadvantaged
29 communities in the State, by incorporating safe and accessible
30 infrastructure, where appropriate; and (2) supporting light-duty,
31 medium-duty, and heavy-duty zero-emission vehicles and
32 infrastructure as part of larger transportation projects, where
33 appropriate.

34 According to the United States Environmental Protection
35 Agency, heavy-duty trucks are the largest contributor to mobile
36 source emissions of nitrogen oxide and will be one of the largest
37 mobile source contributors to ozone in 2025. Medium-duty and
38 heavy-duty trucks tend to be intense polluters due to their use of
39 diesel, which emits large amounts of nitrogen oxides and particulate
40 matter. The pollution can cause certain adverse health effects
41 including chronic heart and lung disease. Diesel pollution is also
42 especially concentrated in urban areas and tends to be worse in low-
43 income communities and communities of color. Off-road vehicles
44 and equipment are also a key source of pollution as they emit large
45 amounts of fine particulate matter and nitrogen oxides into the air.

46 In order to enhance air quality and public health, it is important
47 to begin transitioning medium-duty and heavy-duty trucks and off-

1 road vehicles and equipment to be zero-emission vehicles and
2 equipment. This bill's goals, and the strategies required to be
3 developed in order to help the State achieve the goals, will
4 contribute to a healthier environment and better public health for
5 New Jersey residents.