

1 **2023 NYSAC Fall Seminar**
2 **Standing Committee on Transportation and Public Works**
3 **Resolution #3**

4
5 **Resolution Supporting the Creation of a Joint State Agency-Local Highway**
6 **Department Advisory Group to Prepare for the Transition to a Zero- or**
7 **Low-Carbon Transportation Sector**

8
9 **WHEREAS**, the Climate Leadership and Community Protection Act (CLCPA) was
10 signed into law in 2019 requires New York to reduce economy-wide greenhouse gas
11 emissions 40 percent by 2030 and no less than 85 percent by 2050 from 1990 levels;
12 and

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14 **WHEREAS**, the CLCPA also calls for 70 percent of New York State’s electricity to come
15 from renewables by 2030 and 100 percent zero emissions electricity by 2040; and

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17 **WHEREAS**, the CLCPA directs the development of performance-based standards for
18 sources of greenhouse gas emissions, including but not limited to: transportation,
19 building, industrial, commercial, and agricultural sectors; land-use and transportation
20 planning measures aimed at reducing greenhouse gas emissions from motor vehicles;
21 measures to promote the beneficial electrification of personal and freight transport; and
22 other strategies to reduce greenhouse gas emissions from the transportation sector; and

23
24 **WHEREAS**, the path to transition the state and local highway departments’
25 construction equipment, vehicles, and snowplows to run on electricity is at this juncture
26 unknown, but expected to encounter implementation hurdles and to exceed the ability
27 to be financed locally without substantial sources of new revenues directed for the
28 retrofit and/or procurement of such electric equipment and vehicles; and

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30 **WHEREAS**, costs will be a particular concern as sources of revenues to the Dedicated
31 Highway and Bridge Trust Fund (DHBTF), particularly gasoline and diesel fuel taxes,
32 continue to decrease as cars become more fuel efficient and EVs begin to replace fossil
33 fuel vehicles, eroding funding for highway and bridge construction and maintenance;
34 and

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36 **WHEREAS**, new dedicated revenue sources will need to be identified to contribute to
37 the DHBTF such as EV fees, funding generated by the Cap and Invest program, and
38 other initiatives to support a functional, safe, and well-maintained system of roads and
39 bridges for all motorists and commercial users; and

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41 **WHEREAS** governments at all levels are moving to accelerate the transition to zero
42 emissions electric and low-carbon alternative fuel vehicles through such actions by New
43 York to mandate all medium and heavy-duty truck sales in the state be EV by 2045, the
44 adoption by the New York State Department of Environmental Conservation (NYSDEC)
45 of the Medium- and Heavy-Duty Diesel Vehicle Emission Standards, and the enactment

1 of the Federal Environmental Protection Agency’s Clean Trucks Plan that will apply to
2 heavy-duty engines and vehicles beginning in model year 2027; and

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4 **WHEREAS**, as commercial production of medium and heavy-duty large-scale, electric
5 construction vehicles is today an essentially fledgling industry, the ability of local
6 highway departments to plan for this transition, with its concomitant mandates that fuel
7 and electricity charging sources be renewable, is of tremendous concern considering
8 that transportation at all levels of New York government is significantly underfunded
9 every year; and

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11 **WHEREAS**, the procurement of these vehicles and equipment by highway
12 departments will be constrained by the lack of a charging network that is widely
13 available, safe, and effective in recharging large vehicles and heavy equipment timely,
14 and have its power sourced from renewable energy; and

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16 **WHEREAS**, the state and municipalities must make significant investments to install
17 and maintain the necessary electric truck charging and refueling infrastructure that is
18 necessary, yet the focus of investment is currently car and light-duty vehicle charging
19 infrastructure that cannot satisfy the need for construction grade equipment since the
20 technology and designs are different, and are not interchangeable; and

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22 **WHEREAS**, recognizing these potential barriers facing local governments trying to
23 navigate the transition of their highway department equipment and operations to
24 electric or low carbon alternatives to diesel and gasoline, it is vital that state elected
25 representatives and state agencies assist local highway departments in assuring the
26 development of the state’s strategies for achieving these aggressive greenhouse gas
27 emissions reduction goals and procurement standards consider these market and fiscal
28 barriers to transition; and

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30 **WHEREAS**, all levels of government need to work together, especially throughout the
31 on-going state regulatory process, to assure strategies and mandates put in place to
32 meet the CLCPA goals for the transportation sector are readily achievable, assure service
33 reliability and affordability, and will benefit the environment.

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35 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
36 Counties (NYSAC) calls on the Governor, the NYSDOT, New York State Department of
37 Environmental Conservation (NYSDEC) and the New York State Energy Research and
38 Development Authority (NYSERDA), and legislative leaders to commit to providing
39 technical support for addressing these concerns in the regulatory process and to
40 dedicate the funding necessary to cover the counties’ costs of complying with the state
41 mandates under the CLCPA; and

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43 **BE IT FURTHER RESOLVED**, that recognizing the expertise of local highway
44 professionals, an advisory group be established jointly by NYSDOT, NYSDEC and
45 NYSERDA made up of representatives of the municipal highway superintendents’ and
46 commissioners of public works’ organizations to review and recommend proposals and

1 policies for meeting the goals of the CLCPA before they are implemented or published in
2 the State Register; and

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4 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
5 of New York State encouraging member counties to enact similar resolutions; and

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7 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
8 Governor Kathy Hochul, the New York State Department of Transportation, the New
9 York State Department of Environmental Conservation, the New York State Energy
10 Research and Development Authority, and the New York State Legislature and all others
11 deemed necessary and proper.