

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 123 Session of
2003

INTRODUCED BY BARD, LEVDANSKY, HERSHEY, HERMAN, BALDWIN, BUNT,
CREIGHTON, CURRY, HORSEY, LEACH, MANN, MUNDY, PAYNE, SAYLOR,
SEMMELE, THOMAS, WRIGHT, YOUNGBLOOD AND ZUG, FEBRUARY 10, 2003

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
FEBRUARY 10, 2003

AN ACT

1 Authorizing and directing the Department of Environmental
2 Protection to implement a zero-emission vehicle program.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Zero-Emission
7 Vehicle Act.

8 Section 2. Declaration of policy.

9 The General Assembly finds and declares as follows:

10 (1) It is in the national interest and in the interest
11 of the Commonwealth to reduce dependency on foreign
12 petroleum.

13 (2) The transportation sector accounts for nearly 70% of
14 petroleum consumption in this Commonwealth.

15 (3) Greater fuel efficiency of motor vehicles within
16 this Commonwealth could result in a reduced need for
17 petroleum imports.

1 (4) Advancing automotive technologies now offer a range
2 of vehicles which deliver substantially superior fuel
3 economy, and the Commonwealth must act to obtain the
4 petroleum consumption reductions that those technologies may
5 provide.

6 (5) The National Low-Emission Vehicle Program is in
7 effect in this Commonwealth, and the implementation of this
8 program is a key component in the Commonwealth's plans to
9 progress towards achieving on-time emissions reductions and
10 to attain compliance with the National Ambient Air Quality
11 Standards for Ozone by 2005 in the southeastern region of
12 Pennsylvania, as required by the Clean Air Act Amendments of
13 1990 (Public Law 101-549, 42 U.S.C. § 7401 et seq.).

14 (6) The likelihood of reaching attainment of the
15 National Ambient Air Quality Standards for Ozone on time is
16 still in doubt; and other regions of this Commonwealth have
17 not attained or may fail to attain those standards.

18 (7) The Commonwealth may require further, more stringent
19 reductions in emissions of pollutants to achieve the required
20 goals.

21 (8) The addition of the California Program would result
22 in substantial petroleum consumption reductions and greater
23 reductions in pollutants than that achieved under the
24 National Low-Emission Vehicle Program or the coming Federal
25 Tier II Emissions Standards alone.

26 (9) It is in the best interest of the Commonwealth, all
27 the states in the ozone transport region and the nation as a
28 whole for the Commonwealth to implement the program in 2006.

29 Section 3. Definitions.

30 The following words and phrases when used in this act shall

1 have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 "California Program." The 2002 amended Zero-Emission Vehicle
4 Component of Phase II of the California Low-Emission Vehicle
5 Program which:

6 (1) is submitted in California under the Clean Air Act
7 Amendments of 1990 (Public Law 101-549, 42 U.S.C. § 7401 et
8 seq.);

9 (2) is set forth in CCR tit.13, § 1962, in effect as of
10 June 23, 2002; and

11 (3) provides that a percentage of vehicles produced and
12 delivered for sale in a state will:

13 (i) emit zero pollutants; or

14 (ii) be the cleanest vehicles available.

15 "Department." The Department of Environmental Protection of
16 the Commonwealth.

17 Section 4. Department of Environmental Protection.

18 (a) Requirement.--The department has the power and duty to
19 promulgate regulations to implement the California Program in
20 this Commonwealth by January 1, 2006.

21 (b) Other law.--The power and duty of the department under
22 subsection (a) is not affected by any of the following:

23 (1) The act of January 8, 1960 (1959 P.L.2119, No.787),
24 known as the Air Pollution Control Act.

25 (2) The State Implementation Plan submitted by the
26 department to the Environmental Protection Agency under the
27 Clean Air Act Amendments of 1990 (Public Law 101-549, 42
28 U.S.C. § 7401 et seq.).

29 Section 10. Effective date.

30 This act shall take effect immediately.