

New York State Department of Environmental Conservation

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Joe Martens
Commissioner

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Chairman Mary Nichols
and Board Members
California Air Resources Board
1001 I Street
PO Box 2815
Sacramento, CA 95814

Dear Chairman Nichols and Board Members:

Thank you for inviting testimony from the states that have adopted the Zero Emissions Vehicle (ZEV) program. New York is one of several states to have done so and I believe it will pay off tremendously in the coming years in terms of reduced greenhouse gas emissions and reduced reliance on petroleum fuels. New York State recognizes the need to reduce emissions of greenhouse gases from all sectors. Governor Cuomo's draft State Energy Plan sets a long-range goal of 80% reductions by 2050. Therefore, while some adjustments to the ZEV program may be necessary for its overall success, please keep in mind that unnecessary delays in bringing ZEVs to the market will affect emissions for years after the 2025 end of its phase-in.

Also, portions of New York State do not attain the current National Ambient Air Quality Standard for ozone. While the LEV III standards that New York State has also adopted substantially reduce emissions of ozone precursors, lower standards under consideration by USEPA will present an additional challenge for the next decade or more. Reducing emissions from mobile sources is a key tool to improve the health of New Yorkers.

While we in New York State government fully support the ZEV regulatory program, we also recognize the need for action by state government to ensure the success of the program. To help expand the market for electric vehicles (EVs), Governor Cuomo announced in his 2013 State of the State address the establishment of the Charge NY Initiative. Administered by my colleagues in the New York Power Authority and the New York State Energy Research and Development Authority, this initiative has made great strides in the past year and a half to fund the installation of over 900 public and workplace EV charging stations throughout the state with a planned network of up to 3000. New York has also instituted a tax credit that reimburses up to 50% of the cost of EV charging equipment used for business purposes. NYSERDA has also been leading our education of key stakeholders by developing best practice guides for the installation of charging stations and holding workshops for municipalities and installers. Projects to demonstrate new technologies and policies that can advance the EV market are underway and will be yielding new insights in the coming year.

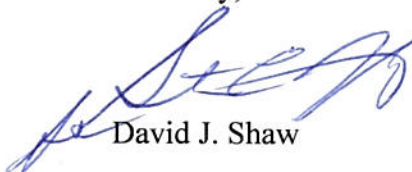
Department of Environmental Conservation staff are working diligently with staff from over a dozen other New York State agencies as well as staff from the ARB and agencies from other states on both coasts to implement the Multi-State ZEV Memorandum of Understanding signed by Governor Brown and Governor Cuomo last year. For example, new contract procedures adopted by our Office of General Services will allow state agencies and municipalities to more easily specify new ZEVs as they come to the market. DEC and OGS staff are also investigating the use of leases to help agencies acquire ZEVs within their budgets. DEC is in the process of installing electric vehicle supply equipment (EVSEs) at three regional offices and two environmental education centers for employee, fleet and public use. In addition, the Office of Parks, Recreation and Historic Preservation has installed public EVSEs at several popular destinations such as Niagara Falls.

On other fronts, the state's Bureau of Weights and Measures has been actively involved in developing standards for EVSEs, ensuring consumer confidence that they are getting the kilowatt-hours they are paying for. And incidentally, New York is one of the states where the Department of Public Service has concluded that the sale of electricity as a transportation fuel does not turn an EVSE network into a utility. These are just some of the actions that New York State has taken to help foster the ZEV marketplace.

These actions show that New York State supports California's continuing efforts to establish a zero emission vehicle market by implementing a strong regulatory program. But we also recognize that smaller manufacturers have not had the need or resources to develop marketable ZEVs in the same time frames. Furthermore, existing requirements have unintended consequences that place tremendous hurdles in the way of these manufacturers. We reluctantly agree that the proposed changes are necessary and offer a fair and equitable path for the smaller manufacturers to follow in introducing new advanced technology vehicles in their lines. It is more important to get the right vehicles into the market than it is to get the "right" number of vehicles. In conclusion, we support the Board staff's proposal to establish lower credit requirements for intermediate volume manufacturers and longer schedules for those transitioning from intermediate to large volume. We ask the Board to promulgate these revisions, but also to refrain from any further adjustments to credit requirements until the scheduled mid-term review of the program.

Thank you for your leadership in this program. If you have any questions, please call me at (518) 402-8452.

Sincerely,



David J. Shaw