

STATE OF NEW YORK

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6254

2025-2026 Regular Sessions

IN ASSEMBLY

February 27, 2025

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Introduced by M. of A. SIMONE, EPSTEIN,  
SHIMSKY -- read once and  
referred to the Committee on Environmental  
Conservation

AN ACT to amend the environmental conservation  
law, in relation to  
enacting the advanced clean fleets law

The People of the State of New York, represented  
in Senate and Assem-  
bly, do enact as follows:

1 Section 1. Subdivision 1 of section 19-0306-b  
of the environmental  
2 conservation law, as amended by chapter 109 of  
the laws of 2022, is  
3 amended to read as follows:  
4 1. It shall be a goal of the state that one  
hundred percent of new  
5 passenger cars and trucks offered for sale or  
lease, or sold, or leased,  
6 for registration in the state shall be zero-  
emissions by two thousand

7 thirty-five. It shall be a further goal of the  
state that fifty percent  
8 of medium-duty and heavy-duty vehicles offered  
for sale or lease, or  
9 sold, or leased, for registration in the state be  
zero-emissions by two  
10 thousand thirty-two, that eighty percent of  
medium-duty and heavy-duty  
11 vehicles offered for sale or lease, or sold, or  
leased, for registration  
12 in the state be zero-emissions by two thousand  
thirty-seven, and that  
13 one hundred percent of medium-duty and heavy-duty  
vehicles offered for  
14 sale or lease, or sold, or leased, for  
registration in the state be  
15 zero-emissions by two thousand [~~forty-five~~] forty-  
two for all operations  
16 where feasible. It shall be further a goal of the  
state to transition to  
17 one hundred percent zero-emissions from new off-  
road vehicles and equip-  
18 ment purchased beginning in two thousand thirty-  
five, where feasible.

19 § 2. Paragraph b of subdivision 2 of section 19-  
0306-b of the environ-  
20 mental conservation law, as amended by chapter 109  
of the laws of 2022,  
21 is amended to read as follows:

22 b. Medium-duty and heavy-duty vehicle regulations  
requiring increasing  
23 volumes of new zero-emissions trucks and buses  
offered for sale or  
24 lease, or sold, or leased, for registration and  
operated in the state  
25 towards the target of fifty percent of the sold or  
leased fleet transi-

EXPLANATION--Matter in italics (underscored) is  
new; matter in brackets  
[-] is old law to be omitted.

1 tioning to zero-emissions vehicles by two  
2 thousand thirty-two, eighty  
3 percent of the sold or leased fleet  
4 transitioning to zero-emissions  
5 vehicles by two thousand thirty-seven, and one  
6 hundred percent of the  
7 sold or leased fleet transitioning to zero-  
8 emissions vehicles by two  
9 thousand [~~forty-five~~] forty-two everywhere  
10 feasible.

11 § 3. The environmental conservation law is  
12 amended by adding a new  
13 section 19-0306-c to read as follows:

14 § 19-0306-c. Advanced clean fleets law for medium-  
15 and heavy-duty vehi-  
16 cles.

17 1. This section shall be known and may be cited  
18 and referred to as the  
19 "advanced clean fleets law".

20 2. As used in this section, the following  
21 terms shall have the  
22 following meanings:

23 (a) "Break-bulk goods" shall mean goods that  
24 are stowed on a drayage  
25 truck in individually counted units.

26 (b) "Drayage truck" shall mean any in-use on-road  
27 vehicle that trans-  
28 ports cargo, such as containerized bulk or break-  
29 bulk goods, between a  
30 maritime terminal and intermodal rail facility,  
31 distribution center, or  
32 other near-port location.

33 (c) "Fleet operator" or "operator" shall mean  
34 the individual or busi-  
35 ness entity, whether in partnership, limited  
36 liability company, joint  
37 stock company, corporation, or any other form,  
38 which owns a truck, or a  
39 broker, which, as a principal or agent, sells,  
40 offers to sell, or nego-  
41 tiates for truck transportation by a motor  
42 carrier for compensation.

25 For the purposes of this paragraph, "truck" shall  
refer to a medium-duty

26 vehicle, as defined in paragraph (i) of this  
subdivision, a heavy-duty

27 vehicle, as defined in paragraph (e) of this  
subdivision, a drayage

28 truck, as defined in paragraph (b) of this  
subdivision, or any truck, as

29 defined in paragraph (n) of this subdivision,  
owned, operated, or

30 controlled as part of a high priority fleet, as  
defined in paragraph (f)

31 of this subdivision.

32 (d) "Gross vehicle weight rating" or "GVWR" shall  
mean the weight of a

33 vehicle consisting of the unladen weight and the  
maximum carrying capac-

34 ity recommended by the manufacturer of such  
vehicle.

35 (e) "Heavy-duty vehicle" shall mean a vehicle  
with a gross vehicle

36 weight rating greater than twenty thousand six  
hundred pounds.

37 (f) "High priority fleets" shall mean trucking  
fleets which are owned,

38 operated, or controlled by entities with fifty  
million dollars or more

39 in annual gross revenue and that own, operate, or  
control at least one

40 vehicle with a gross vehicle weight rating of  
greater than eight thou-

41 sand five hundred pounds, or trucking fleets which  
are owned, operated,

42 or controlled by entities which own, operate, or  
control at least fifty

43 vehicles with a gross vehicle weight rating of  
greater than eight thou-

44 sand five hundred pounds.

45 (g) "Intermodal rail facility" shall mean a  
facility owned or operated

46 by a public or private entity that receives both  
drayage trucks and

47 locomotives.

48 (h) "Maritime terminal" shall mean wharves,  
49 bulkheads, quays, piers,  
50 docks, and other berthing locations and adjacent  
51 storage or adjacent  
52 areas and structures associated with the primary  
53 movement of cargo and  
54 goods from vessel to shore, or shore to vessel,  
55 including structures  
56 which are devoted to receiving, handling,  
57 holding, consolidating, and  
58 loading or delivery of waterborne shipments or  
59 passengers, including  
60 areas devoted to the maintenance of the terminal or  
61 equipment.

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1 (i) "Medium-duty vehicle" shall mean a vehicle  
2 with a gross vehicle  
3 weight rating between fourteen thousand one pounds  
4 and twenty thousand  
5 six hundred pounds.

6 (j) "Motor carrier" shall mean a common and  
7 contract carrier of prop-  
8 erty by motor vehicle and a common carrier of  
9 household goods by motor  
10 vehicle.

11 (k) "Near zero emissions" shall refer to a  
12 vehicle that uses zero  
13 emission technologies or technologies that provide  
14 a pathway to zero  
15 emission operations or a vehicle that  
16 incorporates other technologies  
17 that significantly reduce exhaust emissions of  
18 any greenhouse gas,  
19 criteria pollutant, or precursor pollutant under  
20 any and all possible  
21 operational modes and conditions.

22 (l) "On-road" shall mean a vehicle that is  
23 designed to be driven on  
24 public highways, as such term is defined in  
25 section one hundred thirty-  
26 four of the vehicle and traffic law, and that is  
27 registered or capable

16 of being registered pursuant to article  
17 fourteen of the vehicle and  
18 traffic law.

18 (m) "Zero emission" shall refer to a vehicle  
19 powered by means of a  
20 battery or fuel cell or a combination thereof,  
21 or another source of  
22 power, that produces zero exhaust emissions of  
23 any greenhouse gas,  
24 criteria pollutant, or precursor pollutant under  
25 any and all possible  
26 operational modes and conditions.

23 (n) "Truck" shall mean a vehicle with a gross  
24 vehicle weight rating of  
25 greater than eight thousand five hundred pounds.

25 3. No later than one year after the effective  
26 date of this section,  
27 all fleet operators, as defined in paragraph (c)  
28 of subdivision two of  
29 this section, shall be required to compile and  
30 deliver a report to the  
31 department which shall detail:

31 (a) the number and type of contracts the fleet  
32 operator may have to  
33 deliver items or perform work in the state of New  
34 York;

31 (b) what types of facilities the fleet operator  
32 uses to store such  
33 operator's medium- and heavy-duty vehicle  
34 fleet as a home base, and  
35 whether such fleet is primarily fueled at such home  
36 base;

34 (c) whether such storage facility is owned or  
35 leased by the fleet  
36 operator;

36 (d) whether such storage facility contains  
37 refueling infrastructure  
38 and the type of such infrastructure;

38 (e) the body and fuel type of each vehicle of the  
39 operator's fleet;

39 (f) how many vehicles in the operator's fleet are  
40 zero emission vehi-  
41 cles or near zero emission vehicles compared to  
42 non-zero emission or

41 non-near zero emission vehicles;  
42 (g) the weight class of each vehicle in the  
operator's fleet;  
43 (h) the estimated daily and annual mileage of  
each vehicle in the  
44 operator's fleet;  
45 (i) whether the operator's fleet has a  
predictable usage pattern, and  
46 if so, a description of such pattern;  
47 (j) whether the operator's fleet tows a  
trailer and if so, a  
48 description of the weight and type of such trailer;  
49 (k) whether the operator's fleet is registered  
outside the state of  
50 New York, and if so, where such fleet is  
registered;  
51 (l) the percentage of an operator's fleet being  
driven on public high-  
52 ways compared to the percentage parked at a  
facility on an average day;  
53 (m) the average annual mileage of the operator's  
fleet;  
54 (n) whether the operator's fleet is equipped with  
a global positioning  
55 system or other form of electronic mileage  
tracking;

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1 (o) how many years after purchase or lease a  
vehicle in the operator's  
2 fleet is typically kept;  
3 (p) whether the fleet operator is the  
owner of the fleet or is  
4 dispatching vehicles as a broker of such fleet; and  
5 (q) any other information the department deems  
necessary in order to  
6 enforce the provisions of this section.

7 4. (a) Commencing in the year two thousand  
twenty-nine, no fleet oper-  
8 ator shall newly purchase or lease a drayage truck  
in this state unless  
9 such truck is a zero emission or near zero emission  
vehicle.

10 (b) Commencing in the year two thousand thirty-  
11 seven, no fleet opera-  
12 tor shall maintain or drive a drayage truck in this  
13 state unless it is a  
14 zero emission or near zero emission vehicle.

15 (c) Commencing in the year two thousand forty-  
16 two, no fleet operator  
17 shall maintain or drive a medium- or heavy-duty  
18 vehicle in this state  
19 unless it is a zero emission or near zero emission  
20 vehicle.

21 (d) Commencing in the year two thousand twenty-  
22 nine, no high priority  
23 fleet operator may newly purchase or lease a truck  
24 in this state unless  
25 such truck is a zero emission or near zero  
26 emission vehicle. Also  
27 commencing in the year two thousand twenty-nine,  
28 all high priority fleet  
29 operators must replace a non-zero emission or  
30 non-near zero emission  
31 truck that has reached the end of its useful life,  
32 defined as occurring  
33 when either (i) the model year for the engine of  
34 such truck has exceeded  
35 eighteen years, or (ii) such truck has been  
36 driven more than eight  
37 hundred thousand miles, whichever is sooner,  
38 with a zero emission or  
39 near zero emission truck. High priority fleet  
40 operators shall not be  
41 required to replace a non-zero emission or non-  
42 near zero emission truck  
43 that has reached the end of its useful life,  
44 however, if such operator  
45 has determined that a replacement for such truck  
46 is unnecessary because  
47 of a reduction in the size of such operator's  
48 fleet.

49 (e) (i) The commissioner may, in their  
50 discretion, exempt fleet oper-  
51 ators from the zero emission or near zero emission  
52 fleet requirements



32 described in this subdivision if no such zero  
33 emission or near zero  
34 emission vehicle model is available for purchase or  
35 lease which meets  
36 the needs of such fleet operator, in which case the  
37 fleet operator shall  
38 be able to purchase or lease an alternative  
39 vehicle model, including  
40 models with an internal combustion engine,  
41 where necessary. The  
42 commissioner shall promulgate rules and/or  
43 regulations to effectuate the  
44 provisions of this paragraph.  
45 (ii) The department shall maintain, on a publicly  
46 accessible website,  
47 a list of vehicle models, sortable by manufacturer  
48 and model year, which  
49 are not yet available as a zero emission or near  
50 zero emission vehicle.  
51 5. (a) The department shall establish a  
52 navigation program to provide  
53 information and assistance to fleet operators  
54 relating to the provisions  
55 of this section. Such program shall include  
56 assistance by a natural  
57 person by phone and email as well as the  
58 posting of information on a  
59 publicly accessible website.  
60 (b) The navigation program shall provide the  
61 following:  
62 (i) information about available zero emission and  
63 near zero emission  
64 models of vehicles for fleet operators covered  
65 under this section;  
66 (ii) information about available programs to  
67 assist fleet operators in  
68 the purchasing or lease of zero emission and  
69 near zero emission vehi-  
70 cles, such as but not limited to, vouchers,  
71 rebates, competitive grants,  
72 low-cost financing, or any other program offered  
73 by any public or  
74 private entity; and

55 (iii) any other information the department deems  
relevant in order to  
56 compel compliance with the provisions of this  
section.

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1 (c) The department shall conduct an outreach and  
education campaign to  
2 inform fleet operators of the provisions of this  
section.

3 6. No later than two years after the effective  
date of this section,

4 and each year thereafter, the department shall  
issue a report on the

5 state of the trucking industry as it relates to  
the provisions of this

6 section. Such report shall include:

7 (a) the number of fleet operators covered by  
this section and an

8 aggregate description of such operators' fleets,  
including the number of

9 drayage trucks and medium- and heavy-duty vehicles  
across the state;

10 (b) the aggregate percentage of vehicles  
owned, operated, or

11 controlled by fleet operators covered under this  
section which are zero

12 emission or near zero emission vehicles compared to  
non-zero emission or

13 non-near zero emission vehicles;

14 (c) an aggregate description of the purchase or  
lease of new vehicles

15 by fleet operators and whether such vehicles are  
zero emission or near

16 zero emission vehicles compared to non-zero  
emission or non-near zero

17 emission vehicles;

18 (d) an aggregate description, by number and  
percentage, of non-zero

19 emission or non-near zero emission vehicles  
covered by this section

20 which were not able to be replaced with zero  
emission or near zero emis-

21 sion vehicles due to such vehicle model's  
22 unavailability, as well as  
23 such model's anticipated date, if any, of  
24 availability by any vehicle  
25 manufacturer;  
26 (e) the estimated aggregate annual mileage of  
27 fleet operators covered  
28 by this section;  
29 (f) the estimated aggregate annual tailpipe  
30 emissions of fleet opera-  
31 tors covered by this section, based on the mileage  
32 reported in paragraph  
33 (e) of this subdivision;  
34 (g) recommendations for any legislative changes  
35 to this section; and  
36 (h) any other information the department deems  
37 necessary to include as  
38 a description of the trucking industry's compliance  
39 with this act.  
40 Such report shall be delivered on an annual  
41 basis to the temporary  
42 president of the senate, the speaker of the  
43 assembly, and the governor.  
44 Such report shall also be posted for public  
45 review in a clear and  
46 conspicuous manner on the department's website.  
47 7. (a) Any fleet operator who violates the  
48 provisions of subdivision  
49 four of this section shall be liable, in the case  
50 of a first violation,  
51 for a penalty not less than five hundred dollars  
52 nor more than eighteen  
53 thousand dollars for said violation; provided,  
54 however, that the commis-  
55 sioner may in their discretion suspend such penalty  
56 for a period of one  
57 calendar year. If at the end of such calendar  
58 year, such fleet operator  
59 remains noncompliant with subdivision four of this  
60 section, such penalty  
61 shall be reinstated and become immediately due  
62 and payable to the  
63 commissioner.

45 (b) In the case of a second or any further  
46 violation, the liability  
47 shall be for a penalty not to exceed twenty-six  
48 thousand dollars for  
49 said violation.

48 § 4. This act shall take effect on the one  
hundred eightieth day after  
49 it shall have become a law. Effective immediately,  
the addition, amend-  
50 ment and/or repeal of any rule or regulation  
necessary for the implemen-  
51 tation of this act on its effective date are  
authorized to be made and  
52 completed on or before such effective date.