

SENATE ENVIRONMENT AND ENERGY COMMITTEE

AMENDMENTS

to

SENATE, No. 3029

(Sponsored by Senators SMITH and BATEMAN)

REPLACE SECTION 1 TO READ:

1. a. The Department of Environmental Protection shall establish:

(1) programs to promote ¹~~the~~ **1**[electric] zero emission¹ vehicle use and ¹~~the~~ development and construction of ¹~~the~~ **1**[electric] zero emission vehicle¹ charging ¹~~or filling~~ infrastructure to support such use, including, but not limited to, educating the public on the importance and availability of ¹~~the~~ **1**[electric] zero emission¹ vehicles and their use and subsidizing the installation of public and private charging ¹~~or filling~~ stations;

(2) programs to reduce diesel emissions at the ports of Elizabeth and Newark ¹~~through the requirements in the memorandum of agreement entered into~~ **1**, the ports in the South Jersey Port District, as defined in section 3 of P.L.1968, c.60 (C.12:11A-3), and other ports in southern New Jersey, by repowering or replacement of diesel-powered vehicles or cargo handling equipment operating in those port regions through the issuance of grants, loans, or a combination thereof¹ pursuant to subsection b. of this section; and

(3) other programs to reduce air pollution from motor vehicle emissions.

b. The Department of Environmental Protection shall ¹~~enter into a memorandum of agreement with~~ **1** issue grants, loans, or a combination thereof, from the fund established pursuant to subsection c. of this section, to¹ the Port Authority of New York and New Jersey ¹~~the South Jersey Port Corporation, other ports in southern New Jersey, or port operators operating in those port regions,~~ ¹ to reduce diesel emissions at the ports of Elizabeth and Newark ¹~~by requiring~~ **1** , the ports in the South Jersey Port District, and other ports in southern New Jersey, respectively, for¹:

¹~~(a)~~ **1** (1)¹ acquisition of advanced maritime emissions control system pollution control equipment at the ports;

~~“(b) (2)~~ incentives for the ~~“repowering or”~~ replacement of pre-2007 model year heavy duty diesel trucks delivering and picking up containers at the ports; ~~“and~~

~~“(c) (3)~~ upgrades ~~“ , repowering, or replacement”~~ of cargo handling equipment ~~“ , including but not limited to cranes, ”~~ at the ports to ~~“electric or other”~~ zero emission vehicles and equipment ~~“; and~~

~~“(4) any other measures to reduce diesel emissions at the port regions consistent with the terms of the settlement between the United States Environmental Protection Agency and Volkswagen of America, Inc. or any other appropriate division of the Volkswagen company operating worldwide” .~~

c. There is established in the Department of Environmental Protection a special, nonlapsing fund to be known as the "Volkswagen Settlement Utilization Fund for Motor Vehicle Emissions Reduction and Air Pollution Control." The fund shall be administered by the Department of Environmental Protection and shall be credited with ~~“any”~~ all moneys received by the State from any settlement between the United States Environmental Protection Agency and Volkswagen of America, Inc. or any other appropriate division of the Volkswagen company operating worldwide.

d. Moneys in the fund established pursuant to subsection ~~“(b) c.”~~ of this section shall be used by the Department of Environmental Protection solely for the programs ~~“and purposes”~~ established pursuant to ~~“subsection”~~ subsections a. ~~“and b.”~~ of this section. No more than five percent of the moneys in the fund may be used to pay for administrative costs incurred by the department to implement this act. ~~“Fifteen percent of the moneys received by the State from the settlement shall be used to pay for costs directly connected to the acquisition, installation, operation, and maintenance of infrastructure for charging or filling stations for zero emission vehicles that are cars or light duty trucks.”~~

e. The Department of Environmental Protection shall adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), any rules and regulations necessary for the implementation of this act.