



NEW YORK STATE SENATOR

Joseph A. Griffo

Legislation introduced to delay implementation of ACT regulation

JOSEPH A. GRIFFO October 8, 2024

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New York State Sen. Joseph Griffo, R-C-Rome, Assemblywoman Marianne Buttenschon, D-C-Marcy, and Assemblyman Brian Miller, R-C-New Hartford, announced today that legislation has been introduced that would help truck dealerships like Utica Mack, Inc., individual truck owners, commercial trucking companies and municipal highway departments throughout New York State.

The bill (S9910/A10724) introduced by Sen. Griffo and Assemblywoman Buttenschon would delay the implementation of the Advanced Clean Truck (ACT) Rule to provide more time to fully understand the effect that this rule would have on industries and municipalities in the state. Assemblyman Miller supports the bill and plans to cosponsor it in the Assembly.

In late 2021, the governor announced that the ACT regulation had been adopted as part of the state's efforts to meet the targets of the Climate Leadership and Community Protection Act (CLCPA). The regulation would require that medium and heavy-duty vehicles, including municipal plows, be manufactured as zero emission starting in 2025, with the goal of 100% of trucks over 8,500 pounds to be zero emission by 2045.

However, groups like the New York State Automobile Dealers Association, Trucking Association of New York, New York State County Highway Association and local highway superintendents and departments and Utica Mack, Inc. have pushed back against this regulation because it would be detrimental to businesses and communities. They have urged that the state slow down implementation because of a lack of needed equipment and that the required infrastructure is not yet ready for this significant shift to zero emission vehicles.

If Sen. Griffo and Assemblywoman Buttenschon's bill is passed by the Legislature and signed into law by the governor, it would take effect immediately. The legislation is in the Senate's Rules Committee and the Assembly's Environmental Conservation Committee.

“As we move towards a clean energy future, legitimate concerns have been raised that New York State is implementing parts of the CLCPA and its climate goals haphazardly,” **said Sen. Griffo, who is a member of the Senate's Transportation Committee.** “A case in point is the implementation of the ACT regulation, which will have major impacts on numerous communities, businesses and industries in the state and another illustration of why I did not support the CLCPA. This legislation will pause the implementation of this regulation so that we can ensure that those most affected by it are prepared and that the full impact of this directive is known.”

“We all want to work towards a cleaner environment, but the goals must be realistic,” **Assemblywoman Buttenschon said.** “After hosting NYSEDA (New York State Energy Research Development Authority), local businesses and highway superintendents, it is evident that we need this legislation to ensure that our transportation and business needs are met. We need to always listen to the stakeholders that will be affected as they are in the field and working with the manufacturers directly.”

“This legislation is essential to ensure that our trucking industry and municipal highway departments are not set up to fail,” **said Assemblyman Miller, who is a member of the Assembly Committee on Transportation.** “The ACT regulation, though well-intentioned, will pose significant challenges for businesses and communities that are not yet prepared for such a rapid transition. The timelines outlined in the CLCPA have already placed considerable stress on the businesses impacted by them. By delaying implementation of the ACT regulation, we are giving New York time to build the necessary infrastructure and ensure that businesses like Utica Mack and our highway departments can continue to serve the public without disruption.”

“Over the past one-and-a-half years, we have worked diligently to inform and educate our customers of the impact the CARB ACT Rule will present,” **said Tom Heiland, president of Utica Mack, Inc.** “We are proud to have worked with Sen. Griffo and Assemblywoman Buttenschon on understanding the shortcomings and business interruptions that this law will have. Utica Mack,

Inc., along with other medium and heavy-duty truck dealerships, is not against this regulation. However, our customers, the medium and heavy-duty truck industry and New York State are not prepared to accommodate a change of this magnitude at this time. A pause in the implementation of this regulation is necessary until the full impact is realized.”

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