

NEW YORK
STATE
SENATE
ALBANY, NEW YORK 12247



October 9, 2024

Governor Kathy Hochul
New York State Capitol
Albany, New York 12224

RE: Advanced Clean Trucking Regulations

Dear Governor Hochul:

We write to bring your attention to an urgent matter regarding the adoption and implementation of Advanced Clean Truck (ACT) regulations by the Department of Environmental Conservation (DEC).

As you know, the ACT (6 CRR-NY 218-4.1) was first adopted in 2021 and is set to take effect in 2025. With the regulations set to take effect, we have heard from more and more constituents, municipalities, and small business owners regarding the impact this will have on costs.

Zero emission truck technology is still in its infancy. The majority of these trucks currently cost three to four times the average cost of a diesel-powered vehicle. Requiring the purchase of these vehicles within a substantially limited time frame artificially creates an imbalance between demand and supply, which will drive costs even higher, both on the truck dealers and small businesses. While larger corporations may be able to afford this expense, many small businesses cannot, forcing them to keep older fleet trucks, with significantly higher emissions, on the road longer in order to maintain reasonable expenses. In even more dire circumstances, some businesses may have to move out of state entirely in order to stay operational.

For municipalities and businesses that are forced to incur these expenses, this cost will ultimately be passed on to taxpayers and consumers across the state. Consumers are already struggling with the effects of high inflation and the last thing anyone can afford to do right now is pay more because of an arbitrary rule from California that neither they nor their elected representatives voted on.

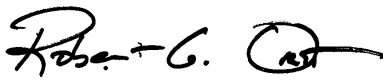
Additionally, the charging infrastructure needed to power this fleet is not currently available at this time. Several legislative measures have been passed and implemented in order to bolster this infrastructure development, but enough time has not passed to realize the results of this. Without the necessary charging infrastructure or grid capacity, mandating the sale of these vehicles through regulation is akin to putting the cart before the horse.

Clean air is a vital resource that our conference has long fought for and believes in protecting. However, like with all facets of governance, we must be prudent about how we achieve those goals. While this regulation is admirable in its intentions, the practical matter is that New York is not currently in a position to adopt it in a manner which is feasible and affordable.

For these reasons, we respectfully request that the implementation of ACT regulations be delayed, which S.9910 (Griffo) sets out to do, and a task force composed of government and industry experts be assembled to discuss a more responsible plan. The task force should conduct a cost-benefit analysis of the implementation of ACT and formulate a strategic plan, in consultation with industry, to reduce emissions in the transportation sector in an affordable manner.

Thank you for your attention to this matter. We welcome the opportunity to work with you on this issue. Please do not hesitate to contact us if you wish to discuss further.

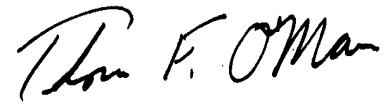
Sincerely,



Robert G. Ort
Senate Minority Leader
62nd District



Senator Andrew Lanza
24th District



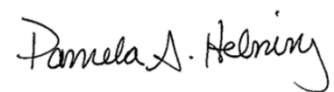
Senator Tom O'Mara
58th District



Senator Peter Oberacker
51st District



Senator Anthony Palumbo
1st District



Senator Pam Helming
54th District



Senator George Borrello
57th District



Senator Daniel G. Stec
45th District



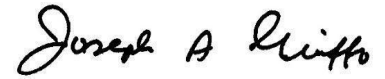
Senator Steve Rhoads
5th District



Senator Patrick Gallivan
60th District



Senator Alexis Weik
8th District



Senator Joseph Griffo
53rd District



Senator Mario Mattera
2nd District



Senator Rob Rolison
39th District



Senator Jake Ashby
43rd District



Senator Patricia Canzoneri-Fitzpatrick
9th District



Senator Dean Murray
3rd District