



NEW YORK STATE SENATOR

Thomas F. O'Mara

Senator O'Mara's weekly column 'From the Capitol' -- for the week of October 14, 2024 -- 'Another unaffordable, unrealistic mandate from Albany'

THOMAS F. O'MARA October 15, 2024

| ISSUE: **CLCPA; CLEAN ENERGY MANDATES**



Senator O'Mara offers his weekly perspective on many of the key challenges and issues facing the Legislature.

It's a far-reaching mandate being implemented too fast at a time when the technology and infrastructure isn't ready for it, it's too expensive, it's unworkable, and it was adopted and keeps moving ahead without a straightforward and responsible cost-benefit analysis.

Senator O'Mara offers his weekly perspective on many of the key challenges and issues facing the Legislature, as well as on legislative actions, local initiatives, state programs and policies, and more. Stop back every Monday for Senator O'Mara's latest column...

This week, **"Another unaffordable, unrealistic mandate from Albany"**

It's the latest in a long line of unaffordable, impractical, and unrealistic clean energy mandates rapidly being implemented in New York State that will have little impact on the global climate but will be extremely costly for consumers, unreasonably restrictive for local economies, businesses, and industries, and enormously burdensome for local governments and local taxpayers.

Specifically, this forthcoming mandate is known as the Advanced Clean Truck (ACT) rule. It was a regulation adopted by the state Department of Environmental Conservation (DEC) in 2021 as part of the all-Democrat agenda known as the "Climate Leadership and Community Protection Act" (CLCPA) of 2019.

Beginning in 2025, the ACT rule will require an increasingly higher percentage of medium- and heavy-duty vehicles -- buses, pickups, vans, garbage trucks, long-haul trucks and the like -- to be electric, zero-emissions vehicles.

Like the all-electric school bus mandate that I highlighted earlier this year as a hugely expensive unfunded state mandate for local school districts and property taxpayers (and the reason I sponsor legislation to delay its implementation), the looming ACT mandate poses similar consequences for numerous industries, including trucking companies vital to the overall fabric of our state and local economies, municipal highway and public works departments, small business owners, and other consumers.

It's a far-reaching mandate being implemented too fast at a time when the technology and infrastructure isn't ready for it, it's too expensive, it's unworkable, and it was adopted and keeps moving ahead without a straightforward and responsible cost-benefit analysis.

That's the point my colleagues and I in the Senate Republican Conference made to Governor Hochul in a recent letter raising our concerns regarding ACT's impending implementation next year.

In our letter we wrote, "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 timeframe artificially creates an imbalance between demand and supply, which will drive costs even higher, both on the truck dealers and small businesses.

"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 ... Additionally, the charging infrastructure needed to power this fleet is not currently available at this time. 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."

It has become clear that the Albany Democrat strategy for New York's energy future is not affordable, feasible, or realistic under its current timeline. The impending implementation of the ACT regulation is the latest example of this state under one-party control pushing forward with a mandate without a straightforward and honest cost-benefit analysis of how much it will cost taxpayers and consumers, the consequences for the state and local economies, its impact on an already burdensome business climate, and whether it will have any effective impact at all on emissions at this time.

ACT will triple the cost of a semi-truck, dump truck, and snowplow and reduce the range of these trucks to 150 miles or less requiring four to six hours to recharge. It will negatively impact the desired emission reduction as those owning and operating trucks on the road today will be encouraged to keep their older, dirtier, and less safe trucks, that they would otherwise replace, on the road longer.

It also raises the concern that businesses may relocate their trucking fleets out of state since they could continue to operate those trucks in New York.

In response, our conference has introduced legislation to delay the ACT implementation while, at the same time, we are calling for a Task Force to conduct a specific cost-benefit analysis and formulate a more responsible plan, in consultation with the industry, that will both reduce emissions and limit dramatic cost increases.

###