



NEW YORK STATE SENATOR

Thomas F. O'Mara

Senator O'Mara's weekly column 'From the Capitol' -- for the week of March 17, 2025 -- 'The world keeps turning on NY's go-it-alone climate agenda'

THOMAS F. O'MARA March 17, 2025

| ISSUE: **ACT RULE**



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

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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, "The world keeps turning on NY's go-it-alone climate agenda"

Weekly Column from

NYS SENATOR TOM O'MARA

for the week of March 17, 2025

“The world keeps turning on NY’s go-it-alone climate agenda”

Repeatedly in this column over the past six years, ever since the approval in 2019 of the all-█ majority climate agenda known as the “Climate Leadership and Community Protection Act” (CLCPA), I have shared warnings – my own and those of many others – that New York State is going too far, too fast.

It keeps turning out that we haven’t just been crying wolf. It hasn’t just been a chorus of so-called “climate deniers.” Not at all. In fact, over the past year we have been joined by plenty of voices on the █ majority side of the aisle recognizing it too.

Recognizing what? The latest example focuses on just one of a long line of unaffordable, impractical, and unrealistic energy mandates being imposed on all New Yorkers—but it’s the one at the moment that stands for the shortcomings of the entire strategy. It remains a politically and ideologically driven, go-it-alone strategy that will have virtually no impact on the global climate but will be extremely costly for New York State’s consumers and ratepayers, unreasonably restrictive for local economies, and businesses and industries, and enormously burdensome for local governments and local taxpayers.

Specifically, what’s back in the news this week is a current mandate 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 CLCPA. Beginning this year, it 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 we have also highlighted 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 █ Minority Conference have been making to Governor Hochul, including in a letter as far back as early last fall raising our concerns over ACT.

In that 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

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.

Now, finally, our concerns are being echoed by leading legislative [REDACTED] majority members. Legislation has been introduced to delay the rule until at least 2027. According to the sponsors, “Unfortunately, the ACT regulations are nearly impossible for the trucking industry to comply with because of a lack of truck charging infrastructure, cost factors, and other challenges...there is no point in putting an entire industry at risk in the process.”

Better late than never, as they say.

It becomes increasingly clear that the Albany [REDACTED] majority strategy for New York’s energy future is not affordable, feasible, or realistic under its current timelines, including this one for the ACT regulation -- 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.

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