

SENATE, No. 3029

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED FEBRUARY 27, 2017

Sponsored by:

Senator BOB SMITH

District 17 (Middlesex and Somerset)

Senator CHRISTOPHER "KIP" BATEMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Co-Sponsored by:

Senator Scutari

SYNOPSIS

Establishes "Volkswagen Settlement Utilization Fund for Motor Vehicle Emissions Reduction and Air Pollution Control"; directs DEP to use moneys in fund to establish and implement certain air pollution control programs.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/2/2017)

1 AN ACT concerning various programs to reduce air pollution from
2 certain vehicles and off-road equipment, and supplementing Title
3 26 of the Revised Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. a. The Department of Environmental Protection shall
9 establish:

10 (1) programs to promote electric vehicle use and development
11 and construction of electric charging infrastructure to support such
12 use, including, but not limited to, educating the public on the
13 importance and availability of electric vehicles and their use and
14 subsidizing the installation of public and private charging stations;

15 (2) programs to reduce diesel emissions at the ports of Elizabeth
16 and Newark through the requirements in the memorandum of
17 agreement entered into pursuant to subsection b. of this section; and

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

20 b. The Department of Environmental Protection shall enter into
21 a memorandum of agreement with the Port Authority of New York
22 and New Jersey to reduce diesel emissions at the ports of Elizabeth
23 and Newark by requiring:

24 (a) acquisition of advanced maritime emissions control system
25 pollution control equipment at the ports;

26 (b) incentives for the replacement of pre-2007 model year heavy
27 duty diesel trucks delivering and picking up containers at the ports;
28 and

29 (c) upgrades of cargo handling equipment at the ports to electric
30 or other zero emission vehicles and equipment.

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

40 d. Moneys in the fund established pursuant to subsection b. of
41 this section shall be used by the Department of Environmental
42 Protection solely for the programs established pursuant to
43 subsection a. of this section. No more than five percent of the
44 moneys in the fund may be used to pay for administrative costs
45 incurred by the department to implement this act.

46 e. The Department of Environmental Protection shall adopt,
47 pursuant to the "Administrative Procedure Act," P.L.1968, c.410

1 (C.52:14B-1 et seq.), any rules and regulations necessary for the
2 implementation of this act.

3

4 2. This act shall take effect immediately.

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STATEMENT

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9 This bill directs the Department of Environmental Protection to
10 establish and fund with moneys from the "Volkswagen Settlement
11 Utilization Fund for Motor Vehicle Emissions Reduction and Air
12 Pollution Control," established in section 1 of the bill, solely for
13 programs to:

14 1) promote electric vehicle use and to develop and build electric
15 charging infrastructure to support such use, including, but not
16 limited to, educating the public on the importance and availability
17 of electric vehicles and their use and subsidizing the installation of
18 public and private charging stations;

19 2) reduce diesel emissions at the ports of Elizabeth and Newark
20 by requiring (a) acquisition of advanced maritime emissions control
21 system pollution control equipment at the ports, (b) incentives for
22 the replacement of pre-2007 model year heavy duty diesel trucks
23 delivering and picking up containers at the ports, and (c) upgrades
24 of cargo handling equipment to electric or other zero emission
25 vehicles and equipment; and

26 3) otherwise reduce air pollution from motor vehicle emissions.

27 The bill directs the DEP to establish the diesel emissions
28 reduction programs at the ports of Elizabeth and Newark through a
29 memorandum of agreement with the Port Authority of New York
30 and New Jersey.

31 The bill also directs the "Volkswagen Settlement Utilization
32 Fund for Motor Vehicle Emissions Reduction and Air Pollution
33 Control" to be credited with any moneys received by the State from
34 any settlement between the United States Environmental Protection
35 Agency and Volkswagen of America, Inc. or any other appropriate
36 division of the Volkswagen company operating worldwide.