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

BE IT ENACTED by the Senate and General Assembly of the State
of New Jersey:

1. a. The Department of Environmental Protection shall
establish:
   (1) programs to promote electric vehicle use and development
   and construction of electric charging infrastructure to support such
   use, including, but not limited to, educating the public on the
   importance and availability of electric vehicles and their use and
   subsidizing the installation of public and private charging stations;
   (2) programs to reduce diesel emissions at the ports of Elizabeth
   and Newark through the requirements in the memorandum of
   agreement entered into pursuant to subsection b. of this section; and
   (3) other programs to reduce air pollution from motor vehicle
   emissions.

b. The Department of Environmental Protection shall enter into
a memorandum of agreement with the Port Authority of New York
and New Jersey to reduce diesel emissions at the ports of Elizabeth
and Newark by requiring:
   (a) acquisition of advanced maritime emissions control system
   pollution control equipment at the ports;
   (b) incentives for the replacement of pre-2007 model year heavy
duty diesel trucks delivering and picking up containers at the ports;
   and
   (c) upgrades of cargo handling equipment at the ports to electric
or other zero emission vehicles and equipment.

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

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

e. The Department of Environmental Protection shall adopt,
pursuant to the "Administrative Procedure Act," P.L.1968, c.410
(C.52:14B-1 et seq.), any rules and regulations necessary for the implementation of this act.

2. This act shall take effect immediately.

STATEMENT

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

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

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

3) otherwise reduce air pollution from motor vehicle emissions.

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

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