

RESOLUTION NO. ____ – 2021

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro. No. ____ - 2021, entitled “A LOCAL LAW amending Chapter 836 of the Laws of Westchester County to provide that purchases by the County of Westchester of motor vehicles shall be for plug-in-hybrid, electric or alternative fuel vehicles unless otherwise exempted.” The public hearing will be held at __.m. on the ____ day of _____, 2021 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law.

This proposed Local Law is subject to a permissive referendum pursuant to Section 209.171(2) of the Laws of Westchester County and New York State Municipal Home Rule Law Section 24(2)(b) as this proposed Local Law would change a provision of law relating to public bidding, purchases or contracts.

TO: HONORABLE BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee recommends passage of “A LOCAL LAW amending Chapter 836 of the Laws of Westchester County to provide that purchases by the County of Westchester of motor vehicles shall be for plug-in-hybrid, electric or alternative fuel vehicles unless otherwise exempted.”

Your Committee is aware that the most recent amendment to the County motor vehicle purchasing policy was enacted in 2011. Since then, the viability of purchasing plug-in hybrid and electric vehicles has markedly improved. In 2011, the baseline cost of a standard plug-in hybrid was \$32,000. In 2021, that cost has been reduced by nearly \$9,000, adjusting for inflation. Moreover, state and federal incentives have further cut the costs of owning an advanced vehicle for both the average consumer and public entities.

Your Committee has been informed that the transportation sector accounts for the largest portion of greenhouse gas emissions in the United States. According to the Environmental Protection Agency, American transportation generates 1.87 billion metric tons of carbon dioxide emissions each year, 28 percent of the country’s total carbon output. In Westchester County,

transportation comprises an even larger portion of total emissions, at 40 percent with 3.76 million tons of carbon released into the atmosphere annually.

Your Committee is further informed that climate change poses an existential threat to Westchester's nearly one million residents, particularly those in its most vulnerable communities. Unmitigated, sea levels could rise as much as six (6) feet by the end of the century, submerging treasured County locations such as Playland Park, the Yonkers Waterfront District, and almost all of New Rochelle's Glen Island. Moreover, increased incidents of flooding, heat emergencies, and heightened food scarcity threatens devastating effects on economically disadvantaged residents, a disproportionate percentage of whom are Black and Brown.

Your Committee has been advised that plug-in hybrid and battery electric vehicles emit considerably less carbon dioxide than comparable gasoline, diesel and standard hybrid vehicles. Replacing a standard passenger vehicle using a petroleum engine with a plug-in hybrid would reduce fuel consumption by 70%, while replacing it with an electric vehicle would reduce fuel consumption by 98%. Moreover, President Biden's Executive Order on Tackling the Climate Crisis at Home and Abroad set a mandate for "clean and zero-emission vehicles for Federal, State, local, and Tribal government fleets" by 2035. Ulster County and New York City have already set mandates to convert their entire fleet to advanced vehicles within the next two decades.

Your Committee finds that the proposed Local Law will assist Westchester in its commitment to fulfill the goals of the Paris Climate Agreement by drastically reducing the County's fuel emissions and setting a standard for local entities to follow. It will also affirm the County's leadership position in meeting the standards set forth in the Climate Leadership and Community Protection Act of 2019 to reduce carbon emissions by 85 percent within the next thirty years.

Your Committee is informed that the attached Local Law would amend Chapter 836 of the Laws of Westchester County by mandating that all purchases by the County of Westchester of motor vehicles shall be for electric vehicles, plug-in hybrid vehicles or alternative fuel vehicles, with limited exemptions. In addition, the proposed legislation eliminates the existing exemption in section 836.42 for "all vehicles of law enforcement purposes."


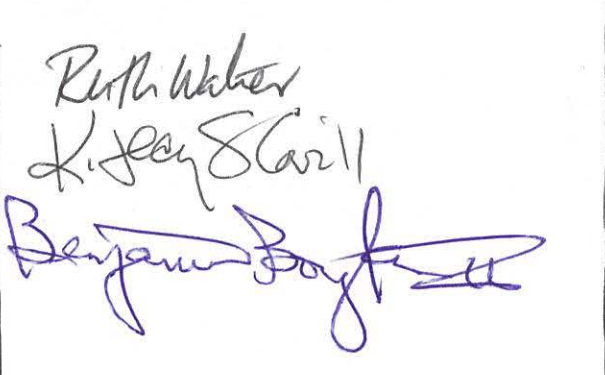
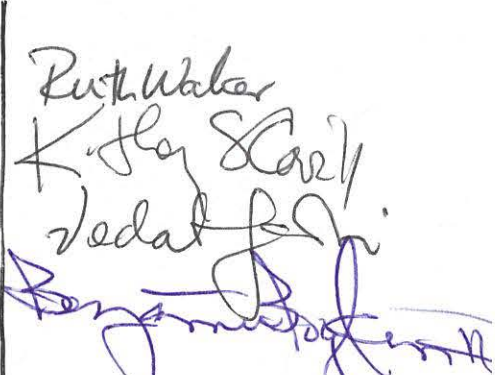
Your committee is advised that the proposed Local Law would generate significant savings for the County. Switching only the fleet's standard petroleum engine passenger vehicles to plug-in hybrids saves over \$2,500,000 over the course of 5 years; switching to electric vehicles saves over \$2,900,000. Further, the cost to drive 25 miles in either a standard plug-in hybrid or electric vehicle is only \$0.50, less than half the cost of driving the same distance in a hybrid and a less than a fourth of the cost in a standard gas vehicle. Moreover, many County agencies have proactively purchased electric and plug-in hybrid vehicles. The Department of Public Safety, in particular, has purchased a number of advanced vehicles, including several hybrid interceptors intended for law enforcement personnel.

As you know, this Honorable Board must comply with the requirements of the State Environmental Quality Review Act ("SEQRA"). Your Committee is advised that the Department of Planning has reviewed the applicable SEQRA regulations, and has concluded that this proposed Local Law constitutes a Type II action which does not require further environmental review. Your Committee concurs with that conclusion.

Your Committee concludes that the adoption of this proposed Local Law which would change a provision of law relating to public bidding, purchases or contracts, is subject to a referendum on petition pursuant to the provisions of Section 209.171(2) of the Laws of Westchester County and Section 24(2)(b) of the New York State Municipal Home Rule Law.

Your Committee, after careful consideration, recommends adoption of this Local Law.

Dated: September 20, 2021
White Plains, New York

		
SDK 9-20-21 Legislation	COMMITTEE ON Environment & Health	Public Works & Transportation

Dated: September 20, 2021
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 417 of New York State Laws of 2021, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

Environment & Health

Legislation

**Public Works &
Transportation**

Catherine F. Parke

Mary Jane Skimich

Nancy E. Pan

Nancy E. Pan

Colin J. Pitt

Mary Jane Skimich

Mary Jane Skimich

Joe H. C.

David A. Jabris

Catherine F. Parker

FISCAL IMPACT STATEMENT

SUBJECT: Vehicle Procurement

NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ -

Total Current Year Revenue \$ -

Source of Funds (check one): Current Appropriations Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: Equipment acquisition accounts county-wide

Potential Related Operating Budget Expenses: Annual Amount \$ -

Describe: _____

Potential Related Operating Budget Revenues: Annual Amount \$ -

Describe: _____

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: There is no financial impact to the County as the higher vehicle acquisition costs are offset by reduced fuel expenditure over the life of the vehicle.

Next Four Years: The proposed changes to the vehicle acquisition requirements will reduce carbon emissions over the life of a typical passenger vehicle by approximately 4 tons per vehicle replaced.

Prepared by: Gideon Grande

Title: Deputy Director

Department: Budget

Date: April 22, 2021

Reviewed By: 

Budget Director

Date: 4/22/21

LOCAL LAW INTRO. NO. - 2021

A LOCAL LAW amending Chapter 836 of the Laws of Westchester County to provide that purchases by the County of Westchester of motor vehicles shall be for plug-in-hybrid, electric or alternative fuel vehicles unless otherwise exempted.

BE IT ENACTED by the County Board of the County of Westchester as follows:

Section 1. Section 836.42 of Chapter 836 of the Laws of Westchester County is amended to read as follows:

1. Notwithstanding any provision of this Chapter or any provision of the Laws of Westchester County to the contrary, and unless otherwise exempted as herein provided, all purchases by the County of Westchester of motor vehicles shall be for [high mileage vehicles,] electric vehicles, [hybrid vehicles], plug-in hybrid vehicles or alternative fuel vehicles, exempting instances listed in Subdivisions "7" and "8" of Section 836.42.
2. For the purposes of this Section, the term "motor vehicle" shall mean every four-wheeled vehicle operated or driven predominantly upon a public highway which is propelled by any power other than muscular power.
3. For the purposes of this Section, the term "high mileage vehicle," shall mean a motor vehicle propelled by an internal combustion or similar type engine that is rated as having a combined city/highway fuel consumption of 35 miles per gallon or

more and shall have the following United States Environmental Protection Agency smog rating for each of the corresponding years:

- Smog rating of six or higher if purchased after January 1, 2015 and on or before December 31, 2015
 - Smog rating of seven or higher if purchased after January 1, 2016 and on or before December 31, 2016
 - Smog rating of eight or higher if purchased after January 1, 2017.
4. For the purposes of this Section, the term "electric vehicle" shall mean a motor vehicle propelled by an electric motor or motors powered by rechargeable battery packs.
 5. For the purposes of this Section, the term "hybrid vehicle" shall mean a motor vehicle that utilizes both an electrical motor and a gasoline or diesel powered engine which work in tandem to decrease fuel consumption.
 6. For the purposes of this Section, the term "alternative fuel vehicle" shall mean a motor vehicle propelled by a fuel other than petroleum such as ethanol, biodiesel, natural gas, propane or hydrogen.
 7. For the purposes of this Section, the term "plug-in hybrid vehicle" shall mean a motor vehicle that utilizes both an electrical motor with recharging capabilities and a gasoline or diesel powered engine which work in tandem to decrease fuel consumption.

[7]8. Exempted from the provisions of this Section are: (i) all vehicles not of four wheels; and (ii) [all vehicles used for a law enforcement purpose; and] (ii) all vehicles used for heavy construction, hauling or a similar purpose.

[9]. Any other request for an exemption from the provisions of this Section must be supported by good cause. An exemption may be authorized by the Commissioner of Public Works and Transportation. "Good cause" for the purposes of this subdivision shall include: (i) the vehicle's use for law enforcement or other [an] emergency services purpose; (ii) the vehicle's use for another essential municipal service as determined by the Commissioner of Public Works or other appropriate commissioner; or (iii) the unavailability of a high mileage vehicle, an electric vehicle, a hybrid vehicle or an alternative fuel vehicle suitable for the intended purpose or for another other municipal use as might be necessitated by specific circumstances determined by the Commissioner of Public Works.

§2. The Clerk of the Board, as soon as practicable after the adoption of this Local Law, shall cause a notice to be published at least once, in one or more newspapers published in the County of Westchester, selected by the Clerk for that purpose, said notice to contain the number, date of adoption and a true copy of this Local Law and a statement that this Local Law, which changes a provision of law relating to public bidding, purchases or contracts, is subject to a referendum on petition pursuant to the provisions of Section 209.171(2) of the Laws of Westchester County and Section 24(2)(b) of the New York State Municipal Home Rule Law.

§3. This Local Law shall take effect sixty (60) days after its adoption.