

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.