

# Transportation Committee JOINT FAVORABLE REPORT

**Bill No.:** SB-4

**Title:** AN ACT CONCERNING THE CONNECTICUT CLEAN AIR ACT.

**Vote Date:** 3/24/2022

**Vote Action:** Joint Favorable Substitute

**PH Date:** 3/11/2022

**File No.:**

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## **REASONS FOR BILL:**

To continue the development of Connecticut's drive for clean air through three actions: setting dates at which Connecticut's fleet of cars and light duty trucks must be made up of 50%, 75%, and 100% battery electric vehicles, the creation of a rebate program for electric bicycles, and the creation of a fund, under the supervision of the Commissioner of Energy and Environmental Protection, for improving air quality and reducing carbon emissions. Substitute language expanded upon what was originally proposed. Added the three initiatives of the bill stated above.

## **RESPONSE FROM ADMINISTRATION/AGENCY:**

Joint Testimony - DOT, DAS, DEEP:

- DAS, DEEP, and DOT offered joint testimony, in which they listed several concerns with the bill. They claim their main concern is over funding, stating that they cannot support revenue reductions not currently supported in the Governor's budget, as they will require spending reductions or revenue increases elsewhere in the budget. They also state the transferring Special Transportation Fund revenue to other accounts may violate the Constitutional Lockbox provision and as such cannot be supported. They show disapproval of using off-budget

accounts to fund projects, stating that it leads to a less transparent budget. They finish this section by stating that all appropriations and bond authorizations will have to be negotiated by the larger appropriations and bond bill packages, instead of using automatic approvals. They echo the concerns of various stakeholders regarding Sections 2 and 3 (residential EV charging equipment installation) and state that they are committed to working with the committee to revise the language. They submit changes offered by the Office of Consumer Counsel, which include limiting resident responsibility for costs associated with electricity used in charging to those actually incurred by landlords. They also request provisions providing exemptions for Low-Income Housing properties and the allowance of attorney's fees for prevailing parties in cases associated with upholding this bill, submitted by the National Association of Housing and Redevelopment Officials and Imagineers LLC respectively. Regarding Section 4, they state that they are not in support of using the building code to implement subsections of the Section and request their removal. They offer support for Section 6 (CHEAPR updates), but request transparency measures and flexibility in order to prevent interruptions based on market conditions. They do not support Section 8, claiming that it will result in a loss of \$9 million in the General Fund and \$13 million in the Special Transportation Fund, as these resources will be moved to the Clean Air Act account and the Reduce Transportation-Related Greenhouse Gasses account. They offer support for Section 11, stating the importance of reducing gaps in charging infrastructure, and submit that re-evaluations of where gaps exist should be conducted after programs have had time to take effect. They state concern with Sections 12 and 13 (traffic signal modernization) due to the lack of funding available for such a program in the governor's proposed midterm budget. They support the concept of Section 14 (heavy-duty voucher program) but cannot support it for funding reasons already stated. Support is offered for Sections 15, 16, and 17 (10-year school bus contracts and zero-emission school bus program and funding). The testimony offers comments on Section 18, agreeing with the importance of studying greenhouse gas emissions from "regionally significant" projects. They offer that the state should look to Colorado's system for measuring greenhouse gas contributions, and that they would be happy to help in developing said system. In total, the joint testimony states support for many concepts raised in the bill, but offers concerns related to funding these projects.

## **NATURE AND SOURCES OF SUPPORT:**

### Connecticut Conference of Municipalities:

- Writes in support of the bill while offering changes and opposition to a number of sections. In totality they support provisions that work towards increasing air quality and electrifying both public and private vehicles. CCM offers concerns with section 4 of the bill, stating that the use of "school building project" is too broad and would affect renovations to existing school structures which could pose a large economic challenge for many institutions. CCM recommends that this language be changed to specify that it only applies to new building projects. CCM offers opposition for section 5 of the bill, stating that the exemption of level 2 parking spaces from property tax would place the burden of replacing those funds on the average taxpayer. CCM offers support for section 11 in assisting municipalities in developing EV charging infrastructure through grants as well as in the creation of a "rural mobility infrastructure account." Supports sections 12 and 13 in the application of a matching grant program aimed at modernizing traffic lights as well as in the authorization of the State Bond Commission in issuing bonding in order to fund this program. CCM expresses concerns with section 16, stating that it supports the principle behind requiring emission free school buses in environmental justice communities, but has concerns with the timetable provided in that it may be unrealistic for certain communities. CCM also expresses concerns with section 18, both in that requiring that net greenhouse gas emissions in "regionally significant projects" be offset by greenhouse gas mitigation projects could prevent necessary economic development from

occurring due to cost and in allowing the Commissioner of DOT significant authority in their ability to waive mitigation projects.

Connecticut Green Bank:

- Offers strong support of the provisions included in the bill.

Cronin, Jean - Executive Director - COSTA:

- Offers general support for the bill while also raising several concerns. Agrees with the committee's desire for cleaner emissions from school buses but does not necessarily support the idea that the buses must be powered electrically. Points out that electric buses typically cost four times as much as their diesel equivalents, and even with the extension to 10-year contracts grants and other assistance would still be necessary to cover the cost of these vehicles. They express support for the \$20 million dollars in bonding allocation for the purchase of electric buses. Concern is expressed for the infrastructure needs that would arise should electric buses be adopted by municipalities. These concerns are mainly the need for charging infrastructure in garages buses would be stored in, as well as bus companies leasing storage space from municipalities and the potential need to get landlord permission to install said charging infrastructure. Raise concerns over requirements for federal grant money, specifically in the need to destroy an old bus (many municipalities do not have buses old enough to qualify for the grant). Claim their largest concern is the aggressive timeframe displayed, and that towns with less funds or more buses (potentially both) would be unable to meet these goals despite efforts to do so. Suggest a sales tax and property tax exemption for electric school buses should the state truly want to reach electrification goals. Finishes by raising concerns over the lack of proper testing and the infancy of electric school bus technology.

Dauphinais, Debra - Owner - Bicycles East:

- Supports the bill, citing improvements to health and air quality as a benefit of e-bikes. Believes that the rebate should be increased in order to increase the amount of people who could potentially purchase an e-bike.

Dehkan, Aziz - Executive Director - Connecticut Roundtable on Climate and Jobs:

- Supports the bill, citing the importance of school bus electrification in improving air quality and environmental impact. Additionally, they point out the benefits to the health of small children that would experience should diesel buses be removed. Suggests altering the section requiring all new buses be electric by 2024 to require 30% of new buses be electric. This would lower the financial burden on municipalities in the state.

Donegan, Mary - Professor of Urban Studies - UCONN

- Writes in support of the bill. States that e-bikes are essentially in lowering pollutants in our air and in reducing vehicle miles traveled. Additionally, states that e-bikes are successful both in urban and rural areas. Additionally, e-bikes allow residents to access job opportunities they would not have otherwise. Believes that e-bike rebates may help keep college graduates from moving to more dense cities where a car is not a necessity. Offers a single change, that being raising the cap for e-bike rebates in order to make them more affordable for a larger percentage of the population.

## **NATURE AND SOURCES OF OPPOSITION:**

Anderson, Leslie - President - Propane Gas Association of New England:

- Wrote in opposition to the bill, stating that it excludes other clean fuels that could assist Connecticut in meeting its climate goals. Wishes for the bill to be amended to include propane powered vehicles, pointing out that propane is the most popular alternative fuel worldwide and

has a proven track record. States that electric vehicles are environmentally friendly if the electricity is sourced from clean, renewable methods. Finishes by requesting that alternative fuels be included (assuming they are clean) in order to give the state flexibility and security in emergencies and in meeting its goals.

**Connecticut Realtors:**

- Writes in opposition to the bill. Immediately offers opposition to sections 3 and 4, stating that the provisions concerning the installation of electric charging stations in rental properties are too broad and allow the rights of renters to trump the rights of condominium associations (limiting association's abilities to determine how to allocate limited parking spaces). Connecticut Realtors believes that the sections are unnecessary and that condominium associations are presently capable of mediating issues related to the installation of EV charging stations without the need for legislation concerning the topic.

**CONN NAHRO:**

- Writes in opposition to the bill. Opposes section 3 assuming several changes are not made (although they express support for the intended goals of sections 2 and 3). States that there are several issues with how provisions in section 3 would affect landlords and renters, in that payment for electric car charger installation and charging would create large problems for multiple parties and put landlords at risk of violating other state laws. Additionally, they offer information concerning the difficulty of implementing this legislation in older building developments, mainly regarding lack of parking spaces currently (which would be exacerbated by the installation of electric vehicle chargers).

**Herb, Christian - President - CEMA**

- CEMA offers testimony opposing the bill, stating that it ignores other fuels and technologies that would accomplish the goal of lowering emissions. They continue by claiming that the bill would expose Connecticut to the risk of blackouts and brownouts, claiming that the provisions of the bill would have an immense effect on Connecticut's fragile grid. CEMA also claims that the bill would increase costs for ratepayers, as they would be funding the movement to new technologies.

**Reported by: Trenton Kapij**

**Date: 4/1/2022**