

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 22-25—sSB 4

Transportation Committee

Finance, Revenue and Bonding Committee

AN ACT CONCERNING THE CONNECTICUT CLEAN AIR ACT

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Prohibits planned community associations from adopting or enforcing rules that effectively prohibit unit owners from installing solar panels on their own units' roofs

BACKGROUND

SUMMARY: This act makes various statutory changes and establishes several new programs and initiatives intended to increase electric vehicle (EV) use, improve air quality, and reduce transportation-related greenhouse gas (GHG) emissions. Major components include:

1. establishing grant programs for traffic signal modernization, zero-emission school buses, and zero-emission medium- and heavy-duty trucks;
2. allowing the Department of Energy and Environmental Protection (DEEP) commissioner to adopt California's emission standards for medium- and heavy-duty vehicles;
3. providing property tax exemptions for zero-emission buses and certain EV charging infrastructure;
4. modifying the Connecticut Hydrogen and Electric Automobile Purchase Rebate (CHEAPR) program by expanding eligibility, prioritizing incentives for environmental justice community residents and people with low incomes, allowing incentives for electric bicycles, and increasing its funding, among other things; and
5. establishing "right to charge" provisions for renters and unit owners in condominiums and common interest communities.

The act also makes minor, technical, and conforming changes.

EFFECTIVE DATE: Various, see below.

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§ 1 — STATE FLEET ELECTRIFICATION

Moves up deadlines for electrifying the state fleet, prohibits procurement of diesel-powered buses after January 1, 2024, and requires DOT and DAS to report certain information to the legislature Cars and Light Duty Trucks

Prior law required that at least 50% of state-purchased or -leased cars and light duty trucks be zero-emission vehicles beginning January 1, 2030. The act eliminates this requirement and instead requires that battery electric vehicles comprise the following percentages of cars and light duty trucks purchased or leased by the state: (1) 50% by January 1, 2026, (2) 75% by January 1, 2028, and (3) 100% by January 1, 2030.

Under the act, a “battery electric vehicle” is a vehicle that operates solely by using a battery or battery pack, or that is powered primarily by an electric battery or battery pack and uses a flywheel or capacitor that stores energy produced by an electric motor or through regenerative braking to assist in vehicle operation.

The act also requires the Department of Administrative Services (DAS) to consider the lower cost of maintaining battery electric vehicles when establishing the amount to lease the vehicles to another state agency.

Report on Noncompliance. Under the act, if the state fleet does not meet the above requirements, DAS must report annually to the Government Administration and Elections (GAE), Transportation, and Environment committees beginning January 1, 2026. The report must (1) explain why the requirements were not met and (2) propose an alternative schedule to meet them, considering available appropriations and market conditions for battery electric vehicles and associated charging infrastructure.

Buses

The act prohibits the state from procuring, purchasing, or leasing diesel-fueled transit buses on and after January 1, 2024. Under existing law, at least 30% of state-purchased or -leased buses must be zero-emission buses on and after January 1, 2030.

Exemptions

The act exempts emergency vehicles, sport utility vehicles, buses or vans that transport individuals in wheelchairs, specialty upfitted motor vehicles, and camp trailers from (1) its fleet requirements and (2) fleet requirements in existing law (e.g., mileage ratings). Prior law exempted emergency vehicles only.

Study and Reporting

Prior law required DAS, in consultation with the Department of Transportation (DOT), to conduct a study and report certain information about zero-emission buses to the GAE and Transportation committees by January 1, 2020.

The act reinstates and modifies this requirement. It expands the reporting

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requirement by requiring the agencies to develop a plan to implement zero-emission buses statewide and identify barriers to implementation. It also eliminates the requirement that the agencies study the feasibility of a competitive bid process for total procurement of zero-emission vehicles and instead requires that they do so for light-, medium-, and heavy-duty battery electric vehicles and fuel cell electric vehicles. The act requires DAS to submit the study's results and a copy of the implementation plan to the committees by January 1, 2024.

EFFECTIVE DATE: October 1, 2022

§§ 2 & 3 — RIGHT TO CHARGE IN CONDOMINIUMS AND COMMON INTEREST COMMUNITIES

Establishes the “right to charge” in condominiums and common interest communities by voiding governing document provisions that unreasonably restrict EV charging installation in a unit or limited common element parking space; establishes requirements for processing applications and provisions applicable to charging station installation

The act establishes “right to charge” provisions for unit owners in condominiums (§ 2) and common interest communities (§ 3). Beginning October 1, 2022, it makes void and unenforceable any provision in declarations, bylaws, rules, or condominium instruments, as applicable (“governing documents”), that prohibit or unreasonably restrict installing EV charging stations in a unit or limited common element parking space.

An EV charging station is an electric component assembly or cluster of component assemblies designed specifically to charge batteries in EVs by permitting the transfer of electric energy to a battery or other storage device. Limited common elements are portions of the condominium or common interest community designated as reserved for the use of one or more units, but not all units.

The act's right to charge provisions do not apply to condominiums and common interest communities (1) that impose “reasonable restrictions” on EV charging stations or (2) where the number of EV charging stations is at least 15% of the number of units. Reasonable restrictions are those that do not significantly increase an EV charging station's cost or decrease its efficiency or specified performance.

Under the act, EV charging stations in condominiums and common interest communities must meet all applicable health and safety standards and requirements under federal, state, or municipal law.

EFFECTIVE DATE: October 1, 2022

Application Processing

The act allows unit owners to apply to install an EV charging station to the applicable governing body (board of directors or executive board). If the parking space is located in a limited common element, the unit owner must have written approval from each owner of each unit that has reserved use of the limited common element parking space. The governing body must, in writing, (1) acknowledge the application within 30 days after receiving it and (2) approve or deny it within 60 days after receiving it. The governing body must process the application in the same

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way as the governing documents require for other additions, alterations, or improvements.

Under the act, unless the governing body reasonably requests additional information within the 60-day period for acting on an application, an application that is not denied in that timeframe is deemed approved.

Conditions for Approval

The act requires the governing body to approve an EV charging installation if the owner agrees in writing to do the following:

1. comply with the governing documents' provisions on an addition, alteration, or improvement;
2. have a licensed and insured contractor install the charging station;
3. provide a certificate of insurance within 14 days of approval that shows insurance coverage in amounts the board deems sufficient;
4. pay for the charging station's installation-associated costs (e.g., increased master policy premiums, association attorney's fees, engineering or professional fees, permits, and applicable zoning compliance); and
5. pay for the charging station's electricity usage.

Unit Owner Responsibilities

The act makes the EV charging station's unit owner and each successive owner responsible for the following:

1. costs for damage to the EV charging station, common elements, or units due to the station's installation, use, maintenance, repair, removal, or replacement;
2. costs to maintain, repair, and replace the EV charging station until its removal;
3. costs to restore the physical space where the charging station was installed after its removal;
4. associated electricity costs;
5. common expenses from uninsured losses under any master insurance policy the association holds on behalf of unit owners; and
6. disclosing to prospective buyers (a) the charging station's existence, (b) the associated responsibilities, and (c) that the purchaser accepts the charging station unless it is removed before the unit's transfer.

The act also specifies that a unit owner need not maintain liability coverage for an existing National Electrical Manufacturers Association standard alternating current power plug.

Permitted Association Actions

The act specifically authorizes associations to do the following:

1. install an EV charging station in the common elements to be used by all unit owners and develop appropriate rules for the station's use;

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2. create a new parking space where one did not previously exist to facilitate installing an EV charging station;
3. require the unit owner to remove the EV charging station before the unit's sale unless the purchaser agrees to own it; and
4. assess the unit owner for any uninsured portion of a loss associated with an EV charging station, from a deductible or otherwise, regardless of whether the association submits an insurance claim.

Attorney's Fees

The act specifies that the prevailing party must be awarded reasonable attorney's fees in any action by an association seeking to enforce compliance with the act.

§ 4 — RENTERS' RIGHT TO CHARGE

Generally requires residential landlords to approve a tenant's written request to install an EV charging station at the tenant's dedicated parking space; staggers implementation of the requirement based on the landlord's number of units; specifies the contents and terms of the written request and the landlord-tenant agreement

The act generally requires landlords of dwelling units to approve a tenant's written request to install an EV charging station (see above) at the tenant's dedicated parking space if the request meets the act's requirements and the landlord's procedural approval process for property modifications. It specifies that landlords are not obligated to provide an additional parking space to a tenant to accommodate an EV charging station.

The act phases in this installation approval requirement based on the number of dwelling units a landlord has. Specifically, the requirement applies to agreements executed, extended, or renewed on or after (1) October 1, 2022, for landlords of 250 dwelling units or more, (2) October 1, 2023, for landlords of more than 50 but fewer than 250 units, and (3) October 1, 2024, for landlords of 50 or fewer units.

Under the act, a "dedicated parking space" is a parking space located within a tenant's separate interest, or a parking spot that is a common area but subject to an individual tenant's exclusive use rights. It includes a garage space, carport, or parking space specifically designated for a tenant's use. A "dwelling unit" is any house or building, or part of one, that is occupied or designed to be occupied, or is rented, leased, or hired out to be occupied as a residence.

The act also requires that EV charging stations, and all property modifications and improvements, comply with applicable state, federal, or municipal laws and zoning requirements, land use requirements, covenants, conditions, and restrictions.

EFFECTIVE DATE: October 1, 2022

Exceptions

The act's requirements do not apply to residential rental property where:

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1. the dwelling unit has EV charging stations for tenants' use in at least 10% of designated parking spaces,
2. parking is not provided as part of the rental agreement,
3. there are fewer than five parking spaces,
4. the property's development is assisted by an allocation of Low Income Housing Tax Credits under federal tax law, or
5. the property is managed by a housing authority created under state law.

Request and Agreement

Under the act, a tenant's written request to install an EV charging station must indicate his or her consent to enter into a written agreement with the landlord that includes provisions on the following:

1. installing, using, maintaining, and removing the charging station and its infrastructure;
2. a complete financial analysis and scope of work for installing the charging station and its infrastructure;
3. payment to the landlord for any costs associated with the landlord's installation of the charging station and its infrastructure before any modification or improvement to the rental property (e.g., permitting, supervision, construction costs, performance bonds);
4. payment for the landlord's incurred costs associated with the charging station's electric usage and costs for damage, maintenance, repair, removal, and replacement of it (including changes or improvements to the rental property);
5. if another tenant will use the charging station, a requirement for the tenant who requested the station to enter into a cooperative agreement with the other tenant and the landlord about electricity metering procedures and each party's responsibilities and duties; specifies that costs, including attorney's fees, metering costs, and other fees related to the agreement, are the tenants' responsibility;
6. maintaining a general liability insurance policy that covers the charging station and names the landlord as an additional insured, beginning on the date of construction approval and lasting until the tenant returns the unit to the landlord;
7. a requirement that the tenant (a) post a surety bond for the cost of removing the charging station or (b) allow the landlord to withhold all or part of a security deposit for any damages he or she suffers due to the tenant's failure to comply with the requirements for removing the charging station and its infrastructure; and
8. a requirement for the tenant to agree to designate the station as a fixture of the rental property if the tenant does not remove it upon the lease's termination.

§§ 5 & 17 — NEW CONSTRUCTION EV CHARGING REQUIREMENTS

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Requires that a specified percentage of parking spaces in certain new construction be equipped with either EV charging stations or charging station infrastructure

Under the act, starting January 1, 2023, DAS must require that each new construction of a state facility with total costs exceeding \$100,000 be installed with level two EV charging stations in at least 20% of parking spaces designated for cars or light-duty trucks.

Beginning July 1, 2023, the act also prohibits DAS from including, on the school construction priority list submitted annually to the legislature, a school building project for new construction if the project's plans do not meet certain EV charging station requirements. Specifically, it prohibits DAS from approving a project plan that does not provide for level two EV charger installation in at least 20% of parking spots for cars or light-duty trucks at the school building.

Starting January 1, 2023, the act requires municipalities to require that each new construction of a commercial building or multi-unit residential building with at least 30 parking spaces be equipped with EV charging infrastructure in at least 10% of parking spaces. Municipalities may, through their legislative bodies, require that these buildings have charging infrastructure in a higher percentage of spaces. The charging infrastructure must be able to support level two EV or direct current fast charging stations.

Under the act, a “level two EV charging station” is an EV charging station that supplies 208- to 240-volt alternating current. A “direct current fast charging station” is an EV charging station that uses direct current electricity providing 40 kilowatts or greater.

EFFECTIVE DATE: October 1, 2022

§ 6 — PROPERTY TAX EXEMPTIONS

Exempts from property taxes certain EV charging stations, fuel cell vehicle refueling equipment, and zero-emission school buses

The act exempts from property taxes (1) level two EV charging stations (see § 5 above) on commercial or industrial property, (2) EV charging stations on residential property, (3) refueling equipment for fuel cell electric vehicles, and (4) zero-emission school buses.

Under the act, a zero-emission school bus is a school bus certified by the Environmental Protection Agency (EPA) as having a drivetrain that does not produce any exhaust emission of any EPA-listed air pollutant or GHG under any possible operational mode or condition (42 U.S.C. § 16091(a)(8)).

EFFECTIVE DATE: October 1, 2022, and applicable to assessment years starting on or after that date.

§§ 7, 10 & 18 — CHEAPR PROGRAM

Makes numerous changes to the CHEAPR program, including making the CHEAPR board advisory-only, modifying the board's membership, prioritizing program benefits to low-income individuals and residents of environmental justice communities, and extending eligibility to

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businesses, municipalities, nonprofits, and e-bikes; directs all of the greenhouse gas reduction fee and part of Regional Greenhouse Gas Initiative funds to the CHEAPR account

The act makes numerous changes to the CHEAPR program, some of which correspond to agency practice. Under prior law, the CHEAPR board was responsible for the program’s administration. The act (1) requires DEEP to administer the program; (2) makes the CHEAPR board advisory-only, responsible for advising the DEEP commissioner on priorities for allocating, distributing, and using CHEAPR funds; and (3) makes the program permanent by eliminating its sunset date (December 31, 2025).

The act modifies the program parameters for the vehicle rebates and adds a component for electric bicycles (e-bikes). For both components, the act allows the program to offer rebates or vouchers (“incentives”). It also increases funding for the program and requires DEEP to conduct outreach programs and implement a marketing campaign to promote CHEAPR.

EFFECTIVE DATE: July 1, 2022, with the board provisions applicable to appointments made on or after that date.

Advisory Board (§ 7)

The act increases, from nine to 14, the CHEAPR board’s minimum number of members by adding (1) the Public Utilities Regulatory Authority chairperson, or her designee, as an ex-officio member and (2) four appointed members, one each by the Transportation Committee leaders. It also adds qualifications for the members appointed under existing law by the Senate president pro tempore and House minority leader.

The table below lists the board’s appointments and qualifications under the act. As under existing law, (1) the other ex-officio members are the DEEP commissioner, the consumer protection commissioner, and the Green Bank president (or their designees); (2) the DEEP commissioner may appoint up to three additional representatives from other industrial fleet or transportation companies; and (3) the DEEP commissioner (or her designee) is the chairperson.

CHEAPR Board Appointing Authorities and Qualifications

Appointing Authority	Qualification
House speaker*	Representative of an environmental organization knowledgeable in EV policy*
Senate president pro tempore*	Owner or manager of bicycle sale or repair business
House majority leader*	Representative of an organization representing an environmental justice community*
Senate majority leader*	Representative of an automotive retailers’ association*
House minority leader*	Representative of an EV consumer association
Senate minority leader*	None specified*
Transportation Committee	Representative of an organization promoting

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Appointing Authority	Qualification
House chairperson	walking or bicycling
Transportation Committee Senate chairperson	None specified
Transportation Committee House ranking member	Representative of an association representing EV manufacturers
Transportation Committee Senate ranking member	None specified

*Existing appointment/qualification, unchanged by the act

Under the act, each appointed member serves a two-year term and may serve until the member’s successor is appointed. The board may establish rules governing its internal procedures.

Program Funding and CHEAPR Account (§§ 7, 10 & 18)

The act increases funding for CHEAPR by (1) increasing its share of the proceeds from existing sources and (2) adding new revenue sources.

First, it transfers the entirety of the GHG reduction fee to the CHEAPR account. Prior law transferred only the first \$3 million collected from the fee, with the remainder going to the General Fund. By law, the fee is (1) \$15 for the registration of a new vehicle and (2) generally \$7.50 for new registrations and registration renewals.

Beginning with FY 24, the act also diverts certain proceeds from the Regional Greenhouse Gas Initiative (RGGI) to the CHEAPR account. Existing state regulations allocate 23% of RGGI proceeds to the Green Bank for the Clean Energy Fund (Conn. Agencies Reg., § 22a-174-31(f)). Beginning with FY 24, the act requires that the amount of this allocation that exceeds \$5.2 million in a fiscal year be diverted to the CHEAPR account. (The act also codifies existing practice regarding the Clean Energy Fund’s uses.)

RGGI is a regional interstate “cap and trade” program to reduce GHG emissions. The program subjects the region’s power plants to a declining cap on the amount of carbon dioxide they may emit and requires them to purchase emission allowances at quarterly auctions. Those that exceed the cap may buy credits from those that do not. Auction sales proceeds fund energy efficiency and renewal programs.

The act also expands the purposes for which CHEAPR account funds may be used to include (1) administering the medium- and heavy-duty vehicle voucher program (see § 14) and (2) paying for staff needed to administer the zero-emission school bus grant program and provide related technical assistance (see § 13).

Vehicle Incentive Component (§ 7)

Eligible Vehicles. Like prior law, the act makes battery electric vehicles, plug-in hybrid electric vehicles, and fuel cell electric vehicles eligible for CHEAPR incentives and specifies that they apply to new or used vehicles. It eliminates a

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provision in prior law that made used hydrogen vehicles eligible for incentives. This conforms to current program practice.

Additionally, the act sets a \$50,000 base MSRP (manufacturer's suggested retail price) cap on vehicle eligibility from July 1, 2022, to June 30, 2027. Prior law did not impose an MSRP cap, but under previous program practice, the MSRP cap was \$42,000 for battery electric and plug-in hybrid vehicles and \$60,000 for fuel cell electric vehicles.

Eligible Entities. Under prior law, CHEAPR incentives were available only to individual state residents. The act extends eligibility for incentives to in-state municipalities, businesses, nonprofits, and tribal entities. It limits each eligible entity to 10 incentives per year, within available funds, and 20 incentives total, but it allows DEEP to issue additional incentives to eligible businesses or nonprofits that operate fleets exclusively in environmental justice communities.

Incentive Amounts and Income Eligibility. The act generally makes DEEP responsible for establishing and revising incentive amounts, with the advisory board's advice, but caps the amount of incentive for residents of environmental justice communities at 100% more than the standard incentive amount. Under prior law, the board established rebate amounts.

The act requires the DEEP commissioner to prioritize granting incentives to residents (1) of environmental justice communities; (2) with household incomes at or below 300% of the federal poverty level; or (3) who participate in state and federal assistance programs such as the Supplemental Nutrition Assistance Program, Low Income Home Energy Assistance Program, Head Start, and Operation Fuel. Under current agency practice, participants in certain income-qualified programs are eligible for higher rebates.

E-Bike Incentive Component (§ 7)

The act requires the DEEP commissioner to provide incentives through the CHEAPR program for state residents to purchase e-bikes. As with the vehicle component, the commissioner is generally responsible for determining incentive amounts, except that the incentive must be at least \$500. The act also requires DEEP, in consultation with the advisory board, to determine the maximum income eligibility for e-bike incentives. It sets a \$3,000 base MSRP cap on eligible e-bikes from July 1, 2022, to June 30, 2027.

The act requires that the e-bike component be designed to maximize air quality benefits associated with e-bike use. It also requires the DEEP commissioner to prioritize granting incentives to the same residents that she must prioritize for the vehicle component (e.g., residents of environmental justice communities).

Reporting (§ 7)

The act requires DEEP, rather than the CHEAPR board, to annually evaluate the program. It also requires that DEEP report annually, starting by June 20, 2024, to the Transportation and Environment committees on the program's status and effectiveness. The report must include information on program participation and

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the environmental benefits accruing to environmental justice communities and communities overburdened by air pollution.

§§ 8 & 19 — EV REGISTRATION FEE

Eliminates the reduced registration fee for electric vehicles

The act eliminates the reduced registration fee for EVs (\$57 for a triennial period) and instead subjects them to the same registration fee that applies to other passenger motor vehicles (e.g., \$120 for a triennial period).

EFFECTIVE DATE: July 1, 2022

§ 9 — REPORT ON CLEAN AIR ACT (CAA) FEE

Requires the OPM secretary to annually report on (1) the amount of CAA fee revenue collected and (2) state funds spent on implementing the CAA, improving air quality, and reducing transportation sector GHG

Starting by January 1, 2023, the act requires the Office of Policy and Management (OPM) secretary to annually report to the Appropriations, Environment, and Transportation committees on (1) the amount of CAA fee revenue (see BACKGROUND) collected in the previous fiscal year and (2) state funds spent during the previous fiscal year on implementing the federal CAA, improving air quality, and reducing transportation sector GHG emissions. OPM must consult with DEEP, DOT, and the Department of Motor Vehicles in preparing the report.

EFFECTIVE DATE: July 1, 2022

§ 11 — TRAFFIC SIGNAL GRANT PROGRAM

Requires DOT to establish a matching grant program to help municipalities modernize existing traffic signal equipment

The act requires DOT to establish a matching grant program to help municipalities modernize existing traffic signal equipment and operations to make them (1) capable of using transit signal priority, (2) responsive to congestion, and (3) reduce idling.

Under the act, applications must be submitted annually to the DOT commissioner at a time and in a way he determines. The commissioner must also (1) develop eligibility criteria, (2) determine the matching amount required, (3) give preference to applications submitted by two or more municipalities, and (4) establish incentives for projects undertaken by two or more municipalities.

EFFECTIVE DATE: July 1, 2022

§§ 12 & 13 — ZERO-EMISSION SCHOOL BUSES

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Allows for 10-year school transportation contracts if the contract includes at least one zero-emission school bus; sets targets for converting school buses to zero-emission school buses; establishes a matching grant program for zero-emission school buses and charging infrastructure

School Bus Contracts

Prior law allowed local and regional boards of education to enter into student transportation contracts for a maximum term of five years. The act extends the maximum term to 10 years for contracts that include transportation provided by at least one zero-emission school bus (see § 6, above).

Transition to Zero-Emission School Buses

The act requires that all school buses be zero-emission school buses by (1) January 1, 2030, in school districts entirely within, or that contain, an environmental justice community as of July 1, 2022, and (2) January 1, 2040, in the remaining districts. It also sets an interim requirement for school districts that are not located entirely within, or do not contain, an environmental justice community, requiring that 100% of buses in these districts be either zero-emission school buses or alternative fuel school buses by January 1, 2035. An “alternative fuel school bus” is a school bus that reduces emissions and operates entirely or in part using liquified or compressed natural gas, hydrogen, propane, or biofuels.

Grant Program

The act requires DEEP to establish and administer a grant program to provide matching funds necessary for municipalities, school districts, and school bus operators to submit federal grant applications and maximize federal funding to buy or lease zero-emission school buses and EV charging or fueling infrastructure.

Applications must be filed at a time and in a way the commissioner determines. The commissioner must also (1) determine the matching amount that applicants must provide and (2) give preference to applications to purchase or lease zero-emission school buses that will operate primarily in an environmental justice community. The DEEP commissioner may pay for staff for this program with CHEAPR account funds (see § 7, above).

Technical Assistance

The act requires the DEEP commissioner, within available funds and appropriations, to provide administrative and technical assistance to municipalities, school districts, and school bus operators transitioning to using zero-emission school buses, applying for federal grants for them, and installing EV charging and fueling infrastructure. The commissioner may use CHEAPR account funds to pay for staff providing this assistance (see § 7, above).

EFFECTIVE DATE: July 1, 2022, except that the school bus contracts provision is effective October 1, 2022.

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§ 14 — MEDIUM- AND HEAVY-DUTY TRUCK VOUCHERS

Allows DEEP to establish a voucher program to support the use of zero-emission medium- and heavy-duty vehicles and funds the program from the CHEAPR account

Beginning January 1, 2023, the act allows DEEP, within available funds, to establish a voucher program to support (1) installing EV charging infrastructure and (2) the use of zero-emission (a) vehicles within class 5 to class 13 of the Federal Highway Administration's (FHWA) vehicle category classification system (see BACKGROUND) and (b) school buses within class 3 to class 8 of the system. Under the act, eligible technology for vouchers includes battery electric and fuel cell systems. Vouchers are unavailable for vehicle classes with no commercially available zero-emission technology.

The act funds the program from the CHEAPR account (see § 7, above). It requires DEEP to (1) set aside 40% of available funding to maximize air pollution reduction in environmental justice communities and (2) consider the amount of available funding when awarding vouchers. The DEEP commissioner must (1) consult with the education, motor vehicles, and transportation commissioners in establishing the program and (2) prescribe the time and way to file program applications.

EFFECTIVE DATE: October 1, 2022, except that the provision funding the program from the CHEAPR account is effective July 1, 2022.

§ 15 — MEDIUM- AND HEAVY-DUTY VEHICLE EMISSION STANDARDS

Authorizes the DEEP commissioner to adopt regulations implementing California's medium- and heavy-duty motor vehicle standards

The act authorizes the DEEP commissioner to adopt regulations implementing California's medium- and heavy-duty motor vehicle standards in Connecticut. If she adopts these regulations, then she must also amend them whenever the California standards change. The Connecticut regulations may incorporate by reference the California Air Resources Board's (CARB) adopted regulations (see BACKGROUND).

State law already requires DEEP to adopt regulations implementing California's emissions standards for light-duty motor vehicles (e.g., passenger cars, SUVs, pickup trucks) and keep them current with changes California makes. The regulations applied beginning with the 2008 model year.

Under the federal CAA, all new vehicles sold in the United States must comply with emission standards set by either the U.S. Environmental Protection Agency or California (42 U.S.C. § 7507). The U.S. Department of Transportation categorizes vehicles based on gross vehicle weight ratings (GVWR). Medium-duty vehicles generally have a GVWR of between 10,000 and 26,000 pounds (e.g., box trucks, firetrucks). Heavy-duty vehicles have a GVWR of more than 26,000 pounds (e.g., city transit buses, cement mixers, refuse trucks, tractor trailers).

EFFECTIVE DATE: July 1, 2022

§ 16 — SOLAR PANELS IN PLANNED COMMUNITY ASSOCIATIONS

Prohibits planned community associations from adopting or enforcing rules that effectively prohibit unit owners from installing solar panels on their own units' roofs

The act prohibits planned community associations from adopting or enforcing rules that effectively prohibit unit owners from installing solar power generating systems (i.e., solar panels) on their own units' roofs. It exempts condominiums and cooperatives from this ban and specifies that its provisions do not apply to roofs shared with another unit owner.

The act authorizes planned community associations to adopt rules governing these systems with respect to (1) their size; (2) how they are attached, installed, and removed; and (3) the unit owner's responsibility for their maintenance and periodic upkeep. The rules may also prohibit owners from installing the systems on the association's common elements.

Under existing law, the association's executive board must give unit owners certain notice before adopting rules, and the adopted rules must be reasonable.

EFFECTIVE DATE: October 1, 2022

BACKGROUND

CAA Fees on Motor Vehicle Registrations

State law requires the Department of Motor Vehicles to collect the CAA fee on new registrations and renewals and sets the fee at \$15 for a triennial registration period (proportionately reduced for other registration lengths). By law, the CAA fee does not apply to motor vehicles that are electrically powered, not self-propelled, or exempt from a registration fee (CGS § 14-49b(a)).

By law, revenue from this fee is split between the General Fund (42.5%) and the Special Transportation Fund (STF) (57.5%) and is not dedicated to any specific purpose.

FHWA Vehicle Category Classification System

The FHWA vehicle category classification system sorts vehicles into different classes based on their characteristics, as shown in the table below.

FHWA Vehicle Classes

Class	Vehicles	Class	Vehicles
1	Motorcycles	8	Single trailer, 3- or 4-axle trucks
2	Passenger cars	9	Single trailer, 5-axle trucks
3	Pickups, panels, and vans	10	Single trailer, 6+ axle trucks
4	Buses	11	Multi-trailer, 5 or fewer axle trucks
5	Single unit, 2-axle trucks	12	Multi-trailer, 6-axle trucks
6	Single unit, 3-axle trucks	13	Multi-trailer, 7+ axle trucks
7	Single unit, 4+ axle trucks		

OLR PUBLIC ACT SUMMARY

California Standards & Connecticut Emission Reduction Goal

CARB adopted (1) a heavy-duty omnibus rule, which creates emission standards for engine manufacturers, and (2) an advanced clean trucks rule, which requires truck manufacturers to deliver for sale a certain percentage of advanced technology vehicles (i.e., zero-emission vehicles (ZEVs)).

In July 2020, Connecticut signed onto a memorandum of understanding (MOU) with 14 other states and the District of Columbia to work collaboratively to reduce emissions from medium- and heavy-duty vehicles. The signatories' goal is to have all medium- and heavy-duty vehicle sales be ZEVs by 2050, with an interim goal of 30% ZEV sales by 2030.

Related Act

PA 22-118 (§§ 314 & 344) reserves up to \$75 million in an existing bond authorization to fund the traffic signal grant program (§ 344) and authorizes an additional \$20 million in bonds to fund the school bus matching grant program (§ 314).