

# S.5931 (Cooney)/A.6359 (Lupardo)

STAFF CONTACT : Joseph Alston | Director of Government Affairs | 5186944464

<b>BILL</b> S.5931 (Cooney)/A.6359 (Lupardo)
<b>SUBJECT</b> An act to postpone the implementation and enforcement of the Advanced Clean Trucks (ACT)
<b>DATE</b> March 10, 2025
<b>SUPPORT</b>

The Business Council of New York State strongly supports S.5931 (Cooney)/A.6359 (Lupardo), which postpones the implementation and enforcement of the Advanced Clean Trucks (ACT) regulations by the Department of Environmental Conservation (DEC). This legislation is essential to ensuring a responsible and achievable transition to clean transportation while protecting businesses, jobs, and the state's economy.

The ACT requires manufacturers to sell an increasing percentage of zero-emission trucks in order to continue selling diesel or gasoline-powered trucks without penalty. While the goal of reducing emissions is commendable, the current mandate ignores economic realities, technological limitations, and infrastructure deficits. If implemented as scheduled, it will drive up costs, reduce truck availability, disrupt supply chains, and result in job losses across New York State. The ACT imposes aggressive, unrealistic timelines for businesses to transition to zero-emission medium-and heavy-duty vehicles (MHDVs). The price of electric and hydrogen powered trucks is significantly higher than traditional diesel vehicles, sometimes up to three times as much. This financial burden will disproportionately affect small and medium-sized businesses, forcing them to either absorb crippling costs or pass them on to consumers through higher prices.

In addition, the supply chain for zero-emission trucks is not ready to meet demand. There are currently too few zero-emission trucks available for purchase, with long waiting times and limited production capacity. These challenges make compliance with the ACT impossible under the current timeline. Delaying implementation will provide the necessary time for manufacturers to scale production, improve technology, and reduce costs. Equally concerning is the glaring lack of charging and refueling infrastructure. New York has made virtually no progress in deploying the heavy-duty charging stations and hydrogen refueling sites needed to support this transition. Without a robust infrastructure network, businesses will face severe operational challenges. Trucking routes will be disrupted, delivery times will be extended, and industries reliant on transportation such as retail, agriculture, and construction will experience significant setbacks. Furthermore, the electrical grid is unprepared to handle the surge in demand from widespread electrification of heavy-duty vehicles. Utilities need more time to expand capacity and upgrade infrastructure to avoid potential energy shortages and operational bottlenecks.

Technology constraints further complicate compliance. Zero-emission trucks currently lack the range, durability, and efficiency required for many industries. Long-haul routes, heavy payloads, and extreme weather conditions remain significant barriers to adoption. Advancements in battery and hydrogen technology are needed before businesses can

reliably transition their fleets without jeopardizing operations. Delaying ACT implementation will allow time for critical infrastructure expansion, technological advancements, and cost reductions. Several states, including Colorado, Maryland, and Rhode Island have recognized these challenges and adjusted their timelines accordingly. New York must follow suit to avoid putting businesses at a severe competitive disadvantage.

The Business Council of New York State urges swift passage of S.5931/A.6359 to prevent economic harm, protect jobs, and allow for a practical, sustainable transition to cleaner transportation. New York can achieve its climate goals without undermining the backbone of its economy.