

2024 -- S 2595

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- MOTOR VEHICLES OWNED
BY A GOVERNMENTAL BODY

Introduced By: Senators DiMario, Euer, Cano, Valverde, and Miller

Date Introduced: March 01, 2024

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-11.3-1 of the General Laws in Chapter 42-11.3 entitled "Motor
2 Vehicles Owned by a Governmental Body" is hereby amended to read as follows:

3 **42-11.3-1. Definitions.**

4 As used in this chapter, the following terms have the following meanings unless otherwise
5 specified:

6 (1) "*General officer*" means the governor, the lieutenant governor, the attorney general,
7 the secretary of state, and the general treasurer.

8 (2)(i) "*Governmental body*" means any department, commission, council, board, bureau,
9 committee, institution, legislative body, agency, government corporation, including, without
10 limitation, the council on postsecondary education and council on elementary and secondary
11 education or other establishment of the executive, legislative or judicial branch of the state.

12 (ii) "*Governmental body*" also means the Rhode Island industrial recreational building
13 authority, the Rhode Island commerce corporation, the Rhode Island industrial facilities
14 corporation, the Rhode Island refunding bond authority, the Rhode Island housing and mortgage
15 finance corporation, the Rhode Island solid waste management corporation, the Rhode Island
16 public transit authority, the Rhode Island student loan authority, the Howard development
17 corporation, the water resources board, the Rhode Island health and education building corporation,
18 the Rhode Island turnpike and bridge authority, the Blackstone Valley district commission, the

1 Narragansett Bay water quality management district commission, Rhode Island
2 telecommunications authority, the convention center authority, channel 36 foundation, their
3 successors and assigns, and any other body corporate and politic which has been here before or
4 which is hereinafter created or established within this state excepting cities and towns.

5 (3) "Own" means control and the intent to control and includes any type of arrangement,
6 including by way of illustration, and not by limitation, a lease arrangement, whereby an employee
7 of a governmental body is supplied principal or exclusive use of a motor vehicle by his or her
8 employer.

9 (4) "Law enforcement officer" means an individual: (i) who is employed on a full-time
10 basis by a governmental body that is responsible for the prevention or investigation of crime
11 involving injury to persons or property (including the apprehension or detention of persons for such
12 crimes); (ii) who is authorized by law to carry firearms, execute search warrants, and to make arrests
13 (other than merely a citizen's arrest); and (iii) who regularly carries firearms (except when it is not
14 possible to do so because of the requirements of undercover work). The term law enforcement
15 officer shall include an arson investigator if the investigator otherwise meets these requirements.

16 (5) "Commuting" means driving a motor vehicle owned by a governmental body to and
17 from the work place and the employee's residence.

18 (6) "Employee" means an individual who works for a governmental body not less than
19 thirty-five (35) hours a week.

20 (7) "Zero-emission vehicle" means a vehicle which produces no emissions from the on-
21 board source of power.

22 (8) "Alternative-fueled vehicle" means a vehicle that can have a combination of a small
23 combustion engine, electric motors, and battery packs, or is powered by hydrogen fuel-cells.

24 SECTION 2. Chapter 42-11.3 of the General Laws entitled "Motor Vehicles Owned by a
25 Governmental Body" is hereby amended by adding thereto the following section:

26 **42-11.3-7. Waivers for vehicle replacement.**

27 (a) A governmental body shall begin the replacement of all gasoline-powered vehicles with
28 a zero-emission vehicle (ZEV) when it is deemed that a vehicle has reached its end of service life.
29 For any additional new fleet vehicles leased or purchased, the governmental body shall procure
30 zero-emission vehicles.

31 (b) If a gasoline-powered vehicle cannot be replaced with a zero-emission vehicle due to
32 limited supply or inadequate replacement, the governmental body may be granted a waiver for
33 purchasing an alternative vehicle. If a waiver is granted, the governmental body shall lease or
34 purchase an alternative-fueled vehicle until a time when a zero-emission vehicle is available.

1 (c) No governmental body shall be granted more than three (3) waivers in a calendar year
2 unless they prove there are no zero-emission vehicles available for adequate replacement of
3 gasoline-powered vehicles.

4 SECTION 3. This act shall take effect on January 1, 2025

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would require that any government owned vehicle that is to be replaced, be
2 replaced with a zero-emission vehicle, defined as a vehicle which produces no emissions from the
3 on-board source of power.

4 This act would take effect on January 1, 2025.

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