

Proposed Local Law No. 3 Of 2015

County Of Ulster

A Local Law Establishing A Sustainable Green Fleet Policy

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. SHORT TITLE.

This Local Law shall be known as the “C.L.E.A.N. A.I.R. in Ulster County Act.” Creating Lower Emissions by Applying New Alternatives and Investing in Renewables in Ulster County.

SECTION 2. LEGISLATIVE INTENT AND PURPOSE.

The Ulster County Legislature finds that government must be innovative, efficient, and cost effective.

One of the ways that ways that Ulster County can achieve the aforementioned goals is to undertake transportation initiatives.

An important transportation initiative is to have a Green Fleet Policy.

A Green Fleet Policy involves a number of different steps to reduce emissions, decrease costs, and increase efficiency. These steps include:

- a. the downsizing of vehicles
- b. the optimization of vehicle use
- c. incorporate efficiency into bid specifications
- d. maximize vehicle efficiency through maintenance and operation
- e. the elimination of vehicles
- f. purchase vehicles that run on alternative fuels
- g. where possible encourage the use of transit systems, bike riding, walking, & telecommuting
- h. using vehicles with electric drive trains which includes electric vehicles, hybrids, and fuel cell vehicles.

Technology has progressed so as to provide, among other things, vehicles that are more fuel-efficient, alternatives to the use of fossil fuels, and vehicles that have lower emissions. The advancement in technology now makes it feasible for counties such as Ulster County to take advantage of their benefits.

Accordingly, the Ulster County Legislature finds that it is in the best interest of the residents of Ulster County to establish the Ulster County Green Fleet policy.

Proposed Local Law No. 3 Of 2015

County Of Ulster

A Local Law Establishing A Sustainable Green Fleet Policy

SECTION 3. DEFINITIONS.

1. “**Alternative Fuel**” means any fuel that is substantially non-petroleum in nature and is defined as an alternative fuel by the U.S. Department of Energy. (<http://www.afdc.energy.gov>)
2. “**Green Vehicle**” refers to any vehicle that employs technology that reduces fuel consumption or emissions and shall include, but is not limited to, vehicles that have electric drive trains (EVs), hybrid vehicles that use both a rechargeable energy storage system and combustible fuel (HVs), alternate fuel vehicles (AVFs), and low emission vehicles (LEVs).
3. “**Passenger Vehicle**” means any motor vehicle designed primarily for the transportation of persons and having a design capacity of twelve persons or less.
4. “**Light Duty Truck**” means any motor vehicle, with a manufacturer’s gross vehicle weight rating of 6,000 pounds or less, which is designed primarily for purposes of transportation of property or is a derivative of such a vehicle, or is available with special features enabling off-street or off-highway operation and use.
5. “**Medium Duty Vehicle**” means any vehicle having a manufacturer’s gross vehicle weight rating of 14,000 pounds or less and which is not a light-duty truck or passenger vehicle.
6. “**Heavy Duty Vehicle**” means any motor vehicle, licensed for use on roadways, having a manufacturer’s gross vehicle weight rating greater than 14,000 pounds.

SECTION 4. FLEET INVENTORY.

1. By the close of fiscal year 2016, each department head shall undertake an inventory and analysis of each vehicle that is assigned to the department head’s department or agency. The inventory will provide a baseline of data from which the Green Fleet policy can be established, implemented, and monitored.

Proposed Local Law No. 3 Of 2015

County Of Ulster

A Local Law Establishing A Sustainable Green Fleet Policy

2. This inventory shall include:

- a. Number of vehicles classified by the model year, make, model, engine size, vehicle identification number (VIN), and drivetrain type (2-wheel drive, 4- wheel drive), and the rated vehicle weight and classification (light-duty, medium-duty, heavy-duty);
- b. Miles per gallon (or gallon equivalent) per vehicle;
- c. Type of fuel (or power source, e.g., electricity) used;
- d. Average cost per gallon (or gallon equivalent) of fuel;
- e. Average fuel cost per mile;
- f. Annual miles driven per vehicle;
- g. Total fuel (or power) consumption per vehicle;
- h. Vehicle function (i.e. the tasks associated with the vehicle's use);
- i. Estimated emissions per mile for each pollutant by vehicle type/class based on EPA tailpipe standards for the following: Carbon Monoxide (CO), Nitrogen Oxides (NOx), and Particulate Matter (PM).
- j. Carbon Dioxide (CO₂) calculations based on gallons (or gallon equivalent) of fuel consumed.

3. Department heads shall be responsible for providing the inventory data in a reliable and verifiable manner.

SECTION 5. THE ULSTER COUNTY GREEN FLEET POLICY.

It is the policy of Ulster County to:

1. purchase, lease, or otherwise obtain the most energy efficient vehicles possible that meet the operational needs of the department or agency for which the vehicles are intended; and
2. manage and operate its fleets in a manner that is energy efficient, cost effective and minimizes emissions.

SECTION 6. GREEN FLEET POLICY STRATEGIES.

In order to accomplish the goals stated in Section 4 above, the following policies shall be implemented:

Proposed Local Law No. 3 Of 2015

County Of Ulster

A Local Law Establishing A Sustainable Green Fleet Policy

1. Include a minimum efficiency standard in miles per gallon (or gallon equivalent) for each vehicle class for which the County has a procurement specification for and include such a standard in any new vehicle procurement specification.
2. Include a minimum emissions standard for each vehicle class for which the County has a procurement specification for and include such a standard in any new vehicle procurement specifications.
3. Beginning in 2018, ensure that a minimum of two percent of the passenger vehicles purchased, leased, or otherwise obtained within a fiscal year by the County are Green vehicles. Green vehicles purchased, leased, or otherwise obtained that quantify in another vehicle weight class may, for the purposes of this requirement, qualify as a passenger vehicle on a one vehicle for one vehicle basis.
4. Review all vehicle procurement specifications and modify them as necessary to ensure that the specifications are written in a manner flexible enough to allow the purchase or lease of alternatively fueled or electric drivetrain vehicles.
5. Review every new vehicle purchase request and modify them as necessary to ensure that the vehicle class to which the requesting vehicle belongs is appropriate for the duty requirements that the vehicle will be called upon to perform.
6. Review the fleet inventory taken in Section 3 above to identify older vehicles that are used infrequently (or not at all), as well as those vehicles that are disproportionately inefficient, and schedule their elimination or replacement.
7. Implement an anti-idling policy prohibiting County employees from idling County owned or operated vehicles for an excessive period of time.
8. Implement a program that will train County employees to drive efficiently and utilize efficient vehicle operating techniques.
9. Reduce motor vehicle use by the utilization of fleet-management software, optimizing vehicle use, the selection of the right vehicle for the employees' tasks, and encourage transit use, bicycle riding, walking and telecommuting where feasible.

Proposed Local Law No. 3 Of 2015

County Of Ulster

A Local Law Establishing A Sustainable Green Fleet Policy

10. Maximize efficiency of the vehicles by having them regularly maintained and checking tire pressure and keeping them aerodynamic (putting racks, ladders and tools on vehicle roofs only when necessary).

11. Seek ways to diversify the fuel types used to run the fleet. Green vehicles should be considered for procurement and utilization when their use is appropriate to the application and life-cycle cost analysis demonstrates the procurement and utilization of the vehicle to be economically feasible.

12. Purchase the right size vehicle for the job and using small light duty vehicles where possible.

13. Keep apprised of the latest technology and product innovations for fleet vehicles which includes, but is not limited to, the use of low rolling resistance tires and using nitrogen to inflate tires.

SECTION 7. MONITORING OF THE GREEN FLEET POLICY.

1. In order to ensure compliance with the goals outlined in Section 4 above, as well as to monitor the actions outlined in Section 5 above, a “Green Fleet” Review Committee is to be formed. The County Executive will appoint the members of this review committee, with one representative from each of the following Departments and/or Agencies:
 - a. Department of Finance
 - b. Department of the Environment
 - c. Department of Public Works
 - d. Fleet Manager
 - e. Department of Planning, Economic Development & Transportation
 - f. Department of Health
 - g. Department of Purchasing
 - h. Department of Environment
 - i. Safety Office
2. The Sheriff or Sheriff’s designee shall serve as a member of the “Green Fleet” Review Committee.

Proposed Local Law No. 3 Of 2015

County Of Ulster

A Local Law Establishing A Sustainable Green Fleet Policy

3. The “Green Fleet” Review Committee shall also include the Chairman of the Legislature or the Chairman’s designee, the Chairman of the Environmental Committee or the Chairman’s designee, the Minority Leader or designee. The legislative appointments will be non-voting members of the Review Committee.
4. On an annual basis, Department or Agency fleet managers shall submit a draft “Green Fleet” plan to the Green Fleets Review Committee detailing how vehicle procurement, fleet operations, and employee travel activity are intended to conform to the “Green Fleet” policy and the “Green Fleet” strategies outlined in Section 5. The “Green Fleet” plan will also include, as an appendix or addendum, an updated fleet vehicle inventory list in the same format as the fleet vehicle inventory completed in Section 3.
5. Each “Green Fleet” plan shall be reviewed by the Review Committee for overall conformity with the “Green Fleet” policy and for completeness in addressing the “Green Fleet” strategies outlined in Section 5. Inadequate plans shall be returned to the submitting Department or Agency for revisal and discussion with the Review Committee.
6. Any appeal of the Review Committee’s decisions must be made in writing to the Committee accompanied by appropriate documentation. Valid reasons for an appeal include unavailability of appropriate fleet vehicles, incremental costs in excess of the full life-cycle savings that would accrue from the acquisition of a given vehicle, and the primacy of a given vehicle’s mission to public safety or a similar area judged to be applicable by the Review Committee.
7. Approval of vehicle procurement requests for each Department or Agency is contingent upon a satisfactory recommendation from the “Green Fleet” committee as to the merit of the Department’s or Agency’s “Green Fleet” plan.
8. The most innovative “Green Fleet” plan implemented shall receive recognition in an annual award to the Department or Agency submitting the winning plan. The “Green Fleet” review committee shall determine the recipient of the award during the annual “Green Fleet” plan review process.

Proposed Local Law No. 3 Of 2015

County Of Ulster

A Local Law Establishing A Sustainable Green Fleet Policy

9. Each fiscal year, a Green Fleet plan shall be implemented provided that it does not put in the County in jeopardy of exceeding the New York State two-percent tax cap. In the event such plan would cause the County to exceed the two-percent tax cap, the Review Committee shall decide how to best proceed to balance the goals and strategies of the Green Fleet policy with the requisite to keep the County budget within the confines of the tax cap.

SECTION 8. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not effect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this regulation, or its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order of judgment shall be rendered.

SECTION 9. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the New York State Secretary of State.