

Local Law No. 9 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. LEGISLATIVE INTENT AND PURPOSE.

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

Ulster County recognizes that energy use associated with the operation of its motor vehicle fleets exacerbates local air quality problems and results in greenhouse gas emissions that contribute to global climate change. While the operation and maintenance of the County vehicle fleet is essential to the ability to provide a wide range of services to the public, the fleet represents a significant environmental and financial cost to Ulster County.

In 2012, the County's baseline year for its Greenhouse Gas (GHG) Inventory, the fleet consumed 201,000 gallons of gasoline and over 306,000 gallons of diesel fuel and was responsible for the emission of approximately 4,899 metric tons of CO₂ equivalent or approximately 35% of the County's total GHG emissions.

Energy costs represent a significant amount of spending for Ulster County government and Ulster County desires to continue in its leadership role in environmental stewardship. The County's energy costs totaled \$4,178,670 in fiscal year 2014 of which \$1,734,637 is vehicle energy costs.

Ulster County recognizes that its agencies and/or departments have a significant role to play in improving local air quality and reducing greenhouse gas emissions by improving the energy efficiency of its Fleet and reducing emissions from fleet operations.

Ulster County recognizes that improving the energy efficiency of its fleet can lead to significant long-term monetary savings.

Ulster County wishes to exercise its power as a participant in the marketplace to ensure that purchases and expenditures of public monies are made in a manner consistent with the policy of improving local air quality and reducing greenhouse gas emissions.

Ulster County wishes to establish a "Green Fleet" policy addressing the vehicles of the fleet under the control of the County in order to improve vehicle fuel efficiency and reduce greenhouse gas emissions.

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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. where possible encourage the use of transit systems, bike riding, walking, & telecommuting

Ulster County is committed to using electric, hybrid-electric, hybrid and sustainable green vehicles across the fleet. Any initiative to introduce alternative fuel technologies will consider the sustainability of the fuel including lifecycle energy and emissions, as well as the renewability of the fuel source.

Additionally Ulster County seeks to move toward zero emission vehicles by promoting the use of electric, hybrid-electric, hybrid, and sustainable green vehicles by residents and will do so by:

1. Giving priority to purchasing hybrid, hybrid-electric, and sustainable green vehicles; and
2. Installing electric vehicle charging stations at County-owned facilities.
3. Supporting initiatives and research which will lead to the further deployment of electric, hybrid-electric, hybrid, and sustainable green vehicles across the community.

SECTION 2. DEFINITIONS.

1. “**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-electric, and hybrid vehicles that use both a rechargeable energy storage system and combustible fuel (HVs).

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2. **“Passenger Vehicle”** means any motor vehicle designed primarily for the transportation of persons and having a design capacity of twelve persons or less.
3. **“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.
4. **“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.
5. **“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 3. FLEET INVENTORY.

1. In order to establish a baseline of data so that the "Green Fleet" policy can be established, implemented, and monitored, the Fleet Manager, in consultation with the Coordinator of the Department of Environment, shall develop an inventory and assessment of the fleet vehicles within each department or agency. This inventory shall include:
 - a. Number of vehicles classified by the model year, make, model, engine size, vehicle identification number (VIN), drivetrain type (2-wheel drive or 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;

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- 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.
2. Once the Fleet Inventory from each department is submitted, an assessment on vehicular use will be performed by the Fleet Manager, in consultation with the Coordinator of the Department of Environment. The assessment will examine;
- a. vehicle needs;
 - b. the use of the smallest, most efficient vehicle to carry out necessary tasks; and
 - c. replacing existing vehicles with Green vehicles that will accomplish substantially the same tasks.

SECTION 4. THE ULSTER COUNTY GREEN FLEET POLICY.

It is the policy of Ulster County:

- 1. to purchase, lease, or otherwise obtain the most energy efficient and cost effective vehicles possible that meet the operational needs of the County.
- 2. to purchase vehicles that are appropriately sized for the purposes to which they are intended.

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3. to manage and operate its fleet in a manner that is energy efficient and minimizes emissions.
4. that all County employees in Ulster County owned vehicles at any time, or in personal vehicles while on County property during work shifts, shall not allow a vehicle to be left to idle for any period of time greater than five minutes. This policy shall not apply during times of emergency response or for vehicles which require longer idling periods for equipment operations needs.

SECTION 5. GREEN FLEET POLICY STRATEGIES.

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

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. Ensure a minimum of 5% of the fleet by 2020 are Green vehicles. Thereafter, annually, a minimum of 20% of passenger vehicles purchased, leased or otherwise obtained will be Green and Green vehicles that qualify 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 green 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.

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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 a program that will train County employees to drive efficiently and utilize efficient operating techniques such as route optimization.
8. 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 ride sharing and telecommuting where feasible.
9. 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).
10. Procure and utilize Green vehicles when their use is appropriate to the application and a life-cycle cost analysis demonstrates the procurement and utilization of the vehicle to be economically feasible.
11. Purchase the right size vehicle for the job.
12. Keep apprised of the technological advances and product innovations for fleet vehicles such as, but is not limited to, the use of low rolling resistance tires and using nitrogen to inflate tires.

SECTION 6. MONITORING OF THE GREEN FLEET POLICY.

In order to determine whether the goals outlined in Section 4 above and the actions outlined in Section 5 above, have been reached, and/or whether or not they should be modified or amended, annually, on or before March 1st of each year, a report, prepared by the Coordinator of the Ulster County Department of the Environment, in conjunction with the Ulster County Fleet Manager and any other department of the County that the Coordinator of the Department of Environment may deem necessary, shall be filed with the County Executive and the Ulster County Legislative Standing Committee assigned with the Department of the Environment and any other Committee as determined by the Clerk of the Legislature.

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The annual report shall include, but not be limited to:

- a. Information addressing the criteria of Sections 1, 3 and 5 above;
- b. Documentation of the fuel use and emissions associated with the ulster county fleet;
- c. An assessment of whether or not the goals set forth in the policy have been attainable; and if not, the reasons relevant;
- d. Recommendations regarding actions to be taken in order to meet the goals set forth in the Policy; and
- e. Recommendations as to specific changes or modifications to the Policy that would promote the goals of the Policy.

The Legislative Standing Committee(s) as designated, having reviewed the information and recommendations set forth in the annual report, shall, if it deems necessary, propose to the full Legislature any changes or modifications to this Policy.

SECTION 7. WAIVER

The County Executive may request a waiver of the purchase requirements of Section 5 of this Law by resolution of the County Legislature if he/she determines that such a waiver is in the best interest of the taxpayers and residents of Ulster County. No such waiver shall take effect unless such a resolution is deemed passed with a majority of the County Legislature voting in the affirmative.

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.

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SECTION 9. EFFECTIVE DATE

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

Adopted by the County Legislature: August 18, 2015

Approved by the County Executive: September 17, 2015

Filed with New York State Department of State: September 28, 2015