



1995 SENATE BILL 139

April 12, 1995 – Introduced by Senator RISSER, cosponsored by Representatives BOCK, BOYLE, NOTESTEIN and LORGE. Referred to Committee on Environment and Energy.

- 1 **AN ACT to create** 144.3718 of the statutes; **relating to:** the delivery for sale in
2 this state of zero emission vehicles.

Analysis by the Legislative Reference Bureau

Under this bill, beginning with model year 1999, motor vehicle manufacturers are required to deliver for sale in this state a specified number of passenger cars and light trucks that are zero emission vehicles. A zero emission vehicle is a motor vehicle that is certified by the California air resources board to produce no emissions of certain air pollutants. A fuel-fired heater does not prevent a motor vehicle from being certified to be a zero emission vehicle if the heater cannot be operated when the air temperature is above 40 degrees fahrenheit and the heater does not produce air pollution by evaporation of the fuel.

The number of zero emission vehicles that a manufacturer must deliver in this state ranges from 2% of the total number of model year 1999 passenger cars and light trucks delivered for sale in this state to 10% of passenger cars and light trucks delivered for sale in this state beginning with model year 2003. The requirement to deliver zero emission vehicles does not apply to certain small manufacturers (based on motor vehicle sales in California) and does not apply to certain manufacturers with somewhat larger California sales until model year 2003.

If a motor vehicle manufacturer fails to deliver the required number of zero emission vehicles for a model year, the manufacturer may make up the deficit by submitting zero emission vehicle credits, earned by that manufacturer or acquired from another manufacturer, that are earned by delivering more than the required number of zero emission vehicles for any model year through the model year following the one in which the manufacturer had a deficit.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 144.3718 of the statutes is created to read:

2 **144.3718 Zero emission vehicles. (1)** In this section:

3 (a) “Intermediate volume manufacturer” means a motor vehicle manufacturer
4 that satisfies the criteria in 13 California code of regulations 1960 (o).

5 (b) “Light-duty truck” means a motor vehicle that has a manufacturer’s gross
6 vehicle weight rating of 6,000 pounds or less and that is designed primarily for
7 purposes of transportation of property, is derivative of a motor vehicle that is
8 designed primarily for purposes of transportation of property or is available with
9 special features enabling off-street or off-highway operation or use.

10 (c) “Medium duty vehicle” means a motor vehicle with a manufacturer’s gross
11 vehicle weight rating of more than 6,000 pounds and not more than 14,000 pounds
12 and that is not a passenger car.

13 (d) “Small volume manufacturer” means a motor vehicle manufacturer that
14 satisfies the criteria in 13 California code of regulations 1960 (n).

15 (e) “Zero emission vehicle” means a motor vehicle that is certified by the
16 California air resources board to satisfy the definition in 13 California code of
17 regulations 1900 (b) (15).

18 **(2)** Except as provided in sub. (3) or (4), each motor vehicle manufacturer, other
19 than a small volume manufacturer, shall deliver for sale in this state the number of
20 zero-emission vehicles that are light-duty trucks with a manufacturer’s gross

1 vehicle weight rating of 3,750 pounds or less or passenger cars equal to at least the
2 following:

3 (a) For model years 1999 and 2000, 2% of the total number of light-duty trucks
4 with a manufacturer's gross vehicle weight rating of 3,750 pounds or less and
5 passenger cars of that model year delivered by the manufacturer for sale in this state.

6 (b) For model years 2001 and 2002, 5% of the total number of light-duty trucks
7 with a manufacturer's gross vehicle weight rating of 3,750 pounds or less and
8 passenger cars of that model year delivered by the manufacturer for sale in this state.

9 (c) For model year 2003 and for each subsequent model year, 10% of the total
10 number of light-duty trucks with a manufacturer's gross vehicle weight rating of
11 3,750 pounds or less and passenger cars of that model year delivered by the
12 manufacturer for sale in this state.

13 **(3)** Subsection (2) does not apply to an intermediate volume manufacturer until
14 model year 2003.

15 **(4)** (a) A motor vehicle manufacturer may satisfy a deficiency under sub. (2) for
16 a model year by submitting, no later than the end of the next model year, a number
17 of zero emission vehicle credits, earned under par. (b), equal to the number of zero
18 emission vehicles of that model year that the manufacturer is required under sub.
19 (2), to deliver for sale in this state less the number of zero emission vehicles of that
20 model year actually delivered by the manufacturer for sale in this state. The credits
21 may be earned by the manufacturer with a deficiency or be acquired from another
22 manufacturer.

23 (b) The department shall grant to a motor vehicle manufacturer the number
24 of zero emission vehicle credits equal to the number of zero emission vehicles of a
25 model year delivered by the manufacturer for sale in this state less the number of

1 zero emission vehicles of that model year that the manufacturer is required, under
2 sub. (2), to deliver for sale in this state. A manufacturer may earn zero emission
3 vehicle credits before the 1998 model year.

4 (5) The department shall count a zero emission vehicle that is a light-duty
5 truck with a manufacturer's gross vehicle weight rating of over 3,750 pounds or a
6 medium-duty vehicle toward the requirement under sub. (2) or in the calculation of
7 zero emission credits under sub. (4) (b) at the request of the manufacturer of the zero
8 emission vehicle.

9 (END)