

CONFIDENTIAL LEGISLATIVE BILL REVIEW FORM: 2016

Bill Number: H.630 **Name of Bill:** An act relating to required reporting of air conditioner refrigerant in motor vehicles

Agency of Natural Resources / Dept: Environmental Conservation **Author of Bill Review:** Tom Moye, Jeff Merrell, Deirdra Ritzer and Megan O'Toole

Date of Bill Review: 2/4/2016 **Related Bills and Key Players:** Click here to enter text.

Status of Bill (check one): ☒ Upon Introduction ☐ As passed by 1st body ☐ As passed by both

Recommended Position: Remain Neutral

Analysis of Bill

1. Summary of bill and issue it addresses. *Describe what the bill is intended to accomplish and why.*

This bill proposes to require the manufacturer of a new motor vehicle to report to ANR the type of air conditioner refrigerant used in a motor vehicle of model year 2017 or later, and the estimated annual refrigerant emissions rate of the motor vehicle. ANR would be required to publish a list of the motor vehicles and the type of refrigerant they use, as well as a list of motor vehicles that use 3 types of refrigerants that are considered to have a lower global warming potential than other non-CFC refrigerants.

2. Is there a need for this bill? *Please explain why or why not.* It is not clear if there is a need for this bill. While not addressed in the bill's statement of purpose, we presume that the primary intent would be to provide purchasers of new motor vehicles with the information allowing them to choose a vehicle that uses an air conditioner refrigerant with a lower global warming potential (GWP). Determining the range of variation in the type of air conditioner refrigerants used by manufacturers starting with model year 2017 vehicles and beyond would require further research (it may be that refrigerants with a lower global warming potential are already widely used by motor vehicle manufacturers). Determining the fraction of all greenhouse gas emissions attributable to vehicle air conditioner refrigerant leakage would require further research.

3. What are likely to be the fiscal and programmatic implications of this bill for this Department?

This bill would require 1) vehicle manufacturers to report annually to ANR both the type of air conditioner refrigerant and the refrigerant emissions rate for each new motor vehicle, and 2) ANR to list on its website the air conditioner refrigerant used in each new motor vehicle. Ensuring the manufacturers comply with reporting requirements, processing the reported information, and creating and maintaining a website for listing the information has significant fiscal and programmatic implications for ANR. Assuming this work would be assigned to the DEC Air Quality and Climate Division's Mobile Sources Section which consists of a staff of two, this would impose a significant burden. Currently, there are several hundred vehicle models in the U.S. market, and maintaining such a list would be cumbersome and would require significant resources. It may be possible to contract out the design and maintenance of a commercial drop-down menu type of website, but we assume that would involve significant cost. The bill does not include appropriation of any resources to ANR for this work.

4. What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it? We are not aware of fiscal and programmatic implications for any other departments in state government.

5. **What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?** *(for example, public, municipalities, organizations, business, regulated entities, etc)*
As noted above, this bill would require that vehicle manufacturers report annually to ANR both the type of air conditioner refrigerant and the refrigerant emissions rate for each new motor vehicle. We do not yet know the fiscal and programmatic implications of this requirement for vehicle manufacturers.

6. **Other Stakeholders:**

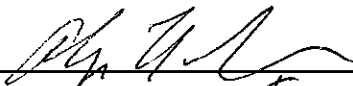

6.1 **Who else is likely to support the proposal and why?** We assume some environmental protection and public health advocates would be supportive of this bill because of potential greenhouse gas emissions reductions associated with consumers potentially choosing vehicles that use air conditioner refrigerants with lower global warming potential.

6.2 **Who else is likely to oppose the proposal and why?** We assume vehicle manufacturers would oppose this proposal because of the fiscal and programmatic implications it would impose on them.

7. **Rationale for recommendation:** *Justify recommendation stated above.* Further research would be necessary to determine if there are any potential environmental benefits associated with the requirements of this bill, and to more fully identify the fiscal and programmatic implications for ANR. In addition, consideration should be given to a potential unintended consequence whereby a consumer might choose to purchase a vehicle with an air conditioner having a lower GWP without having a good understanding of the relative importance of this in relation to the tailpipe GHG emissions of the vehicle (e.g., the consumer selects a vehicle that has lowest GWP refrigerant, but that vehicle has higher tailpipe GHG emissions compared to others in its class).

8. **Specific modifications that would be needed to recommend support of this bill:** *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.*
As noted above, further research would be necessary to recommend support of this bill. This would include determining the range of variation in the type of air conditioner refrigerants to be used by manufacturers starting with model year 2017 vehicles in order to determine the degree of consumer choice and thus the potential environmental benefit associated with exercising that choice. Determining the fraction of greenhouse gas emissions attributable to vehicle air conditioner refrigerant leakage would require further research. In addition, a number of clarifying revisions to the language of the bill would be necessary. For example, as currently worded, the bill would require ANR to list the air conditioner refrigerant used "in each motor vehicle." Because that requirement would be highly impractical, the same purpose could be accomplished by listing the refrigerant used by vehicle make/model or changing the definition of "motor vehicle" for purposes of this law. Additionally, the vehicle model year for which manufacturers need to report the refrigerant information starts in 2017, but no such date is provided for when ANR needs to begin providing this information to the public.

9. **Will this bill create a new board or commission AND/OR add or remove appointees to an existing one? If so; which one and how many?** N/A

Commissioner has reviewed this document:  Date: 2/8/16
Secretary has reviewed this document:  Date: 2-10-16