

**A RESOLUTION SUBMITTED BY
LEGISLATORS MILLS, GREENE, TODARO, LORIGO**

Re: Supporting S3328/A2005 authorizing school districts to opt-out of certain zero-emission school bus requirements

WHEREAS, as part of the New York State Budget approved in 2022, state lawmakers included a mandate that would require school districts to begin purchasing electric school buses beginning in 2027 and transition their entire fleet to electric buses by 2035; and

WHEREAS, New York State has 721 public school districts and approximately 45,000 school buses according to the New York State Energy Research and Development Authority (NYSERDA); and

WHEREAS, electric school buses cost anywhere between two and four times as much as a typical internal combustion engine bus, and unlike the cost of consumer electric vehicles, the NY Office of General Services estimates the cost of zero-emission buses has actually increased at a higher rate than inflation; and

WHEREAS, many school officials around the state, especially in rural areas, believe the current timeline is not achievable due to infrastructure limitations, prohibitive costs, and opposition from local voters which are creating serious barriers to comply with the mandate; and

WHEREAS, in a letter issued to state policy makers, the New York State Educational Conference Board stated that “if left unaddressed, these barriers will force districts to reduce educational opportunities for students, increase taxes, spend exorbitant sums, and cause voter unrest;” and

WHEREAS, in the state’s October 2024 implementation progress report regarding zero-emission busing, only one school district in Western New York reported that it would not need electrical service upgrades to accommodate electric buses and estimates show that only thirty-one out of eighty districts in the region would have charging stations by 2027; and

WHEREAS, besides the major concerns related to costs, there are also significant concerns regarding the performance and capabilities of zero-emission buses including payload capacity, battery range in cold climates, battery service life, and safety; and

WHEREAS, widespread questions about implementation of the mandate have caused Governor Kathy Hochul to announce that the mandate may be delayed to accommodate schools facing challenges; and

WHEREAS, members of the New York State Senate and Assembly have introduced bills S3328 and A2005, respectively, to create an opt-out waiver for school districts to opt-out of certain aspects of the zero-emission bus mandate on the grounds of infrastructure limitations and disqualifying logistical factors.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby supports the passage of Senate bill S3328 and Assembly bill A2005 and the creation of a waiver for school districts to opt-out of the zero-emission bus mandate; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Governor of New York, the Western New York Delegation to the State Senate and Assembly, and any other party deemed necessary and proper.