



310 CMR 60.06: CO₂ Emission Limits for State Fleet Passenger Vehicles

Overview

On August 11, 2017, the Massachusetts Department of Environmental Protection (MassDEP) published a new regulation, 310 CMR 60.06 *CO₂ Emission Limits for State Fleet Passenger Vehicles*, to set limits on carbon dioxide (CO₂) from passenger vehicles owned and leased by the Commonwealth's Executive Offices. This regulation establishes mass-based annually declining limits on GHG emissions.

Requirements

The purpose of the new regulation 310 CMR 60.06 is to achieve CO₂ emission reductions from passenger vehicles owned or leased by the Commonwealth. The regulation consists of four key components:

- Executive Offices are the regulated entities responsible for compliance;
- Mass-based limits are set on CO₂ emissions from the fleet of passenger vehicles for each Executive Office and decline each year from 2018 through 2025;
- Each Executive Office must report certain information on passenger and non-passenger vehicles, and CO₂ emissions from passenger vehicles; and
- Each Executive Office must comply with monitoring and recordkeeping requirements.

Changes to the Proposal

In response to public comment on the proposed regulation, the final regulation includes the following changes:

- Amended the definition of Executive Office to cover all quasi-public agencies whose governing members or board include(s) the Secretary of an Executive Office.
- Amended the definition of a passenger vehicle to limit such vehicles to those having an Environmental Protection Agency fuel economy sticker (40 CFR Part 600 *Fuel Economy and Greenhouse Gas Exhaust Emissions of Motor Vehicles*), since the methodology for determining passenger vehicle CO₂ limits relies on the fuel economy listed on such stickers. Vehicles that do not have EPA fuel economy stickers are considered non-passenger vehicles.
- Exempted Executive Offices that own or lease less than 30 passenger vehicles in their fleet.
- Added a process for Executive Offices to petition MassDEP for a portion of a CO₂ emissions "set-aside" due to one of more of the following:
 - Incomplete information about the inventory of passenger vehicles being available prior to the promulgation of 310 CMR 60.06;
 - Mathematical error in calculating the CO₂ emission limit(s);
 - Increase in the passenger vehicle fleet due to unforeseen circumstances or new legislative or regulatory requirements; and/or
 - Increase in the passenger vehicle fleet to 30 or more passenger vehicles thereby becoming subject to CO₂ emission limits.

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