

EV First Acquisition Policy

I. Effective Date:

Effective July 1, 2022, this policy, the EV First Acquisition Policy, is in furtherance of Executive Order 594, Leading By Example (“LBE”): Decarbonizing and Minimizing Environmental Impacts of State Government.

II. Policy Statement:

Executive Branch agencies under the purview of The Office of Vehicle Management (OVM), a department within the Operational Services Division (OSD) at the Executive Office for Administration and Finance (A&F), are now required to purchase Electric Vehicles (EVs) whenever such vehicles are readily available, meet agency needs, and where the incremental costs associated with the total cost of ownership are not excessive. OVM, in its sole discretion, will determine when these criteria are met to require an EV acquisition.

III. Definitions:

- A. ZEV (Zero Emission Vehicle): as defined by LBE Guidance related to EO594: Battery Electric Vehicle, Fuel-Cell Electric Vehicle, and Plug-In Hybrid Electric Vehicle
 - 1. BEV (Battery Electric Vehicle): a vehicle powered entirely by battery and produces no tailpipe emissions.
 - 2. FCEV (Fuel-Cell Electric Vehicle): a vehicle that uses a fuel cell to directly power an onboard electric motor and produces no tailpipe emissions.
 - 3. PHEV (Plug-In Hybrid Electric Vehicle): a vehicle powered by both a battery pack, which may be externally recharged, and an Internal Combustion Engine (ICE).
- B. Readily Available (determined after acquisition approval by OVM): The vehicle is available on Statewide Contract (SWC) or expected to be on SWC within the next 30 days, **and** the vehicle’s order-to-delivery lead time is reasonable when compared with the current lead time for similar vehicle types (as determined by OVM).
- C. Meets Agency Needs: Vehicle specifications, including range or any required upfitting, provide sufficient passenger and/or cargo capacity, as well as upfit functionality, to fulfill the primary use of the vehicle.

IV. Acquisition Determination:

Whenever possible, agencies must select BEVs to fulfill their business needs. If a BEV does not meet these needs, based on the EV First Exemption Process, agencies shall select the most fuel-efficient and/or least carbon-emitting option based on their justified needs and primary use/function of the vehicle. OVM will adjust vehicle selections made by an agency that do not meet these requirements.

- A. The acquisition hierarchy noted below shall be followed when selecting vehicles:
 - 1. Battery Electric Vehicle (BEV)/Fuel Cell Electric Vehicle (FCEV)
 - 2. Plug in Hybrid Vehicle (PHEV)

3. Hybrid Electric Vehicle (HEV), Alternative Fuel Vehicle (AFV), or other innovative technologies as determined and approved by OVM
 4. Internal Combustion Engine Vehicle (ICE) that is the most efficient in its class
- B. When selecting a vehicle to fulfill the intended primary use/function, agencies shall prioritize the following:
1. Acquisition hierarchy is followed.
 2. Vehicles are sized appropriately.
 3. Vehicles are the most fuel-efficient models that serve the vehicle’s primary use/function.
 4. Fleet optimization evaluation is conducted to combine vehicle functions and reduce fleet size.

V. Agency Fleet Review:

To further the reduction of carbon emissions, agencies are required to review vehicles that exceed the idling thresholds set forth by OVM and prioritize their replacements with suitable EV options. OVM may remove any vehicle from the fleet exceeding this threshold, regardless of the agency’s ability to fund a replacement.

VI. EV First Exemption Process:

- A. The EV First exemption process applies to any agency subject to the EV First Acquisition Policy (EV Policy) that wishes to receive an exemption from the EV Policy for one or more vehicle acquisitions. Exemptions are provided under limited situations, predominant reasons outlined below, and at the sole determination of OVM. Acquisitions of non-EVs will be evaluated on a case-by-case basis.

Acceptable exemption example reasons are as follows:

Criteria	Description
Emergency Response	The vehicle is used primarily to respond to emergencies and use of an EV would pose a justifiable safety risk. Agencies must demonstrate the acquisition of an EV would obstruct said response.
Prohibitive Upfits	The vehicle’s primary job function requires upfits or modifications that cannot be accommodated by the EV options currently available on SWC.
Vehicle Range	Expected daily mileage, verified whenever possible through telematics data, exceeds the EPA estimated range of suitable EV options and adequate charging infrastructure is not in place to support mid-trip fast charging.
Vehicle Availability	No currently produced EV option on SWC meets agency’s needs.

- B. Agencies requesting exemption shall complete the EV First Exemption Request Form, detailing the criteria and reasoning for requesting an exemption.
- C. Exemption Condition:
As a condition of exemption and to offset the carbon emissions of a newly acquired ICE vehicle, OVM reserves the right to require the agency to simultaneously purchase an EV for

incorporation elsewhere in its fleet. Should additional procurement funds not be available, the agency may be required to surrender an additional ICE vehicle.

D. Exemption Granted:

When OVM has deemed an EV acquisition is not feasible, OVM will select the most fuel-efficient option for the agency based on the justified need and primary use/function of the vehicle. OVM reserves the right to determine the fuel type of all assets within its purview.

VII. Authority:

The Office of Vehicle Management is the acting oversight agency within the Operational Services Division for the Executive Office for Administration and Finance. As such, the acquisition of all state vehicles will be approved solely by OVM. However, OVM may consult with The Green Fleet Committee in the implementation of the EV First Acquisition Policy.