

# **ENERGY POLICY ACT (EPACT) AFV ACQUISITION REQUIREMENTS FOR LOCAL GOVERNMENT AND PRIVATE FLEETS**

In April 1998, the U.S. Department Of Energy (DOE) published an Advanced Notice Of Proposed Rulemaking (ANOPR) to begin the process to determine whether AFV acquisition requirements for certain local government and private fleets should be promulgated under the terms of Section 507(g) of the Energy Policy Act (EPACT).

There were three public hearings and a public comment period after the ANOPR was published, seeking input on several key issues, including:

- Should the EPACT replacement fuel goals of 10% by the year 2000 and 30% by the year 2010 be kept or modified? And if so, how?
- What should the AFV Acquisition Requirements look like? What incentives or voluntary actions might be appropriate?
- Should transit buses be included? And if so, how?

In order for DOE to move forward with a local government and private fleet AFV acquisition requirement program, it must be shown that: (1) the EPACT replacement fuel goals can be met; (2) the proposed program will cause the goals to be met; and (3) without this program, goals will not be met.

As proposed by EPACT, the following percentages of new light-duty vehicle acquisitions must be AFVS for covered local government and private fleets: 20% in Model Year 2002; 40% in Model Year 2003; 60% in Model Year 2004; and 70% in Model Year 2005. However, DOE has the authority to modify the dates and percentages.

The next step is for DOE to complete the Notice Of Proposed Rulemaking (NOPR), which is scheduled to be published before the end of Calendar Year 1999. At least three public hearings will probably be held, and written and oral comments will be requested.

Any Final Rule with AFV Acquisition Requirements for local government and private fleets would be due by January 1, 2000 and could impact local government and private fleets as early as Model Year 2002.

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