

New York City Clean Trucks Program (NYC Clean Trucks Program)

Implementation Manual

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1. New York City Clean Trucks Program Overview

The New York City (NYC) Clean Trucks Program (or Program) is a Rebate Incentive program aimed to accelerate the deployment of medium- and heavy-duty Battery Electric Vehicles (BEVs), Plug-In Electric Vehicles (PHEV), Hybrid Electric Vehicles (HEVs), and Compressed Natural Gas (CNG) or diesel-fueled trucks. In partnership with the New York State Department of Transportation and the New York State Department of Environmental Conservation, the NYC Department of Transportation (NYC DOT) developed the NYC Clean Trucks Program to reduce the cost of medium- and heavy-duty trucks for Licensed Motor Carriers (LMCs), Independent Owner Operators (IOOs), and truck lessees (End-Users) for the purchase or lease of Replacement Trucks that are not only better for the environment, but are oftentimes more cost-effective when compared to the older, existing diesel trucks currently being operated in and around New York City. By increasing the number of on-road trucks equipped with cleaner truck technologies, the NYC Clean Trucks Program's mission is to reduce harmful greenhouse gas and criteria pollutant emissions from the trucking industry.

1.1. About the Implementation Manual

The Implementation Manual is designed to help Rebate Incentive Applicants understand the process, requirements, rules, and funding parameters of the NYC Clean Trucks Program. NYC DOT or the NYC Clean Trucks Program Administrator (Program Administrator) may make amendments to the Implementation Manual at any time. Changes are applicable to all Applications that are not yet approved by NYC DOT or the Program Administrator. Rebate Incentive Applicants are bound by the version of the Implementation Manual in effect at the time the Application is approved. Applications, procedures, requirements, rules, funding parameters, or any other program-related elements associated with Rebate Incentives must follow the current version of the Implementation Manual posted on the NYC Clean Trucks Program website at the time an Application is approved. The most recent Implementation Manual, as well as any forms or Agreements, is posted on the NYC Clean Trucks Program website. Notices of changes are provided to Rebate Incentive Applicants via email to the designated email address identified on the Application.

1.2. Advancing Clean Truck Technologies Through Rebate Incentives

Rebate Incentives facilitate LMCs, IOOs, or End-Users with the adoption of BEVs, PHEVs, HEVs, and CNG or diesel-fueled trucks by reducing the upfront costs of purchasing a Replacement Truck. Rebate Incentives are provided to the NYC Clean Trucks Program Applicant by the Dealership/Original Equipment Manufacturer (OEM) at the point of purchase in the form of a credit towards the total purchase price of the Replacement Truck. These point of purchase credits make Replacement Truck acquisitions less expensive, and thus, helps with the early deployment of cleaner technologies. In return, the cleaner technologies help reduce harmful greenhouse gas and criteria pollutant emissions around New York City.

Rebate Incentive amounts are pre-determined by the funding source described in Section 1.3 and Section 1.4. Rebate Incentive amounts for alternative-fueled trucks, including BEVs, PHEVs, HEVs, and CNG trucks are calculated based on a pre-determined incremental cost percentage of the price difference between an alternative-fueled truck and a comparable diesel-fueled truck. Rebate Incentive amounts for diesel-fueled trucks are pre-determined based on Gross Vehicle Weight Rating (GVWR). Rebate Incentive Applicants may reference the Rebate Incentive amounts on the NYC Clean Trucks Program website to help with financial planning and decision making prior to negotiating with a Dealership/OEM. The Program Administrator or NYC DOT, at its sole discretion, determines the final Rebate Incentive amount at the time of Application approval. The final Rebate Incentive amount may differ from the website published amount, such as in cases where the Replacement Truck model's final purchase cost changes significantly and exceeds the pre-determined incremental cost allocation.

Replacement Trucks purchased using Rebate Incentives result in verifiable emission reductions and air quality improvements through the decommissioning and scrapping of older, diesel-fueled trucks. Emission reduction benefits are calculated based on the difference between the baseline emissions from the Qualifying Truck and the baseline emissions from the Replacement Truck. As part of the Application process, LMCs, IOOs, and End-

Users must purchase an eligible Replacement Truck from a NYC Clean Trucks Program-approved Dealership/OEM and must scrap an eligible Qualifying Truck prior to the release of the Rebate Incentive. Rebate Incentives are distributed to NYC Clean Trucks Program-approved Dealerships/OEMs once the Rebate Incentive Application process is completed and all required documentation and photographs are reviewed and approved. NYC Clean Trucks Program is neither obligated to reimburse nor responsible for the deficit in funding for the Replacement Truck purchase should the Rebate Incentive Applicant or Dealership/OEM fail to meet requirements for Rebate Incentive funding.

1.3. Rebate Incentive Funding Source

On October 25, 2016, the United States District Court of Northern California approved a partial consent decree regarding the installation and use of emission testing defeat devices by Volkswagen and its subsidiaries sold and operated in the United States. On December 20, 2016, the United States District Court of Northern California approved a second partial consent decree involving similar emissions testing defeat devices in vehicles operated in the United States. The consent decrees established the Environmental Mitigation Trust (VW Trust) Agreement for State Beneficiaries. The purpose of the VW Trust is to sponsor projects that would fulfill environmental mitigation obligations under the partial consent decrees.

The New York State Beneficiary Mitigation Plan, which defines New York State’s overall goals and objectives for use of funds provided by the VW Trust, was submitted and approved. The Mitigation Plan will use VW Truck funds to replace older diesel-fueled trucks with newer, less polluting, all-electric, alternative-fueled trucks, and diesel-fueled trucks to improve air quality in New York State. NYC DOT will serve as a Project Sponsor and Tetra Tech, Inc. will serve as the Program Administrator.

1.4. Rebate Incentive Amounts

The total funding for NYC Clean Trucks Program, as of March 2020 is \$8.96 million. Funding from other sources may not be combined with funding offered under the NYC Clean Trucks Program. A summary of the funding sources and amounts are presented in Table 1.

Table 1. NYC Clean Trucks Program Funding Sources and Amounts

Funding Source	Vehicle Type	Amount
VW Trust	Class 4-8 Battery Electric Trucks	\$2,550,000
	Class 4-7 Non-Electric Fuel Type (Hybrid, CNG, Diesel)	\$2,355,000
	Class 8 Non-Electric Fuel Type (Hybrid, CNG, Diesel)	\$4,050,000
	Total	\$8,955,000

The maximum Rebate Incentive funding amounts for eligible BEVs, PHEVs, HEVs, and CNG trucks are presented in Table 2. Rebate Incentive funding amounts may not exceed the maximum funding amounts listed. Actual Rebate Incentive amounts for each eligible Replacement Truck, by make and model, is calculated by multiplying the pre-determined incremental cost percentage by the price difference between the eligible Replacement Truck and a comparable diesel-fueled truck.

Table 2. Rebate Incentive Caps by Replacement Truck Type and Weight Class

Vehicle Technology	Rebate Incentive Caps					
	Incremental Cost %	Vehicle Weight Class (GVWR)				
		4	5	6	7	8
BEV	80%	\$100,000	\$110,000	\$125,000	\$150,000	\$185,000
PHEV	80%	\$55,000	\$60,000	\$70,000	\$100,000	\$120,000
HEV	80%	\$25,000	\$35,000	\$45,000	\$50,000	\$55,000
CNG	80%	\$30,000	\$40,000	\$50,000	\$55,000	\$60,000

The Rebate Incentive funding amounts for eligible, diesel-fueled Replacement Trucks are showing in Table 3.

Table 3. Rebate Incentive Amounts for Diesel-Fueled Replacement Trucks, By Weight Class

Vehicle Class	Rebate Incentive
Class 4	\$12,000
Class 5	\$13,000
Class 6	\$20,000
Class 7	\$21,000
Class 8	\$30,000

2. Dealerships and Original Equipment Manufacturers (OEMs)

A Dealership/OEM is a facility or location authorized to sell an eligible Replacement Truck under the NYC Clean Trucks Program. To qualify as an eligible Dealership/OEM, the vendor must be classified as one of the following entities:

- A Dealership and have a written agreement with an OEM to sell or lease eligible medium- and/or heavy-duty Replacement Trucks with a valid business license for the past two (2) years; or
- An OEM that builds and sells or leases eligible medium- and/or heavy-duty Replacement Trucks with a valid business license for the past two (2) years.

Dealerships/OEMs are required to pass on the full Rebate Incentive to the Rebate Incentive Applicant at the point of sale by reducing the purchase cost of the Replacement Truck by the Rebate Incentive amount. Dealerships/OEMs may not charge fees to the Rebate Incentive Applicant in association with processing the Application and/or any program-related documents or photographs. Dealerships/OEMs must make all NYC Clean Trucks Program-related records available for review by the Program Administrator or NYC DOT for five (5) years after the sale of the Replacement Truck.

NYC Clean Trucks Program-approved Dealerships/OEMs must make all related documents and records available for review by the Program Administrator or NYC DOT for five (5) years after the approved Date of Delivery of the purchased or leased Replacement Truck.

2.1. Dealerships/OEMs Approval Process by the New York State Energy Research and Development Authority (NYSERDA) Truck Voucher Incentive Program

Dealerships/OEMs selling BEVs, PHEVs, HEVs, or CNG trucks must first apply and become registered as an approved Dealership/OEM under the NYSERDA Truck Voucher Incentive Program. NYSERDA Truck Voucher Incentive Program approved Dealerships/OEMs may then apply for eligibility as a NYC Clean Trucks Program-approved Dealership/OEM.

The Program Administrator may reach out to the NYSERDA Truck Voucher Incentive Program-approved Dealerships/OEMs, or the Dealerships/OEMs may contact the Program Administrator directly. The Program Administrator works with the Dealership/OEM interested in becoming an approved vendor under the NYC Clean Trucks Program. The interested Dealership/OEM will then be provided the NYC Clean Trucks Program Dealership Agreement (Dealership Agreement) by the Program Administrator, or the interested Dealership/OEM may download the Dealership Agreement from the website. It is the responsibility of the Dealership/OEM to review the Terms and Conditions of the Dealership Agreement. If the Dealership/OEM is able to meet all requirements of the Dealership Agreement, the Dealership/OEM must complete and sign the Dealership Agreement and return two (2) originals with inked signatures to the Program Administrator at the following address:

Tetra Tech, Inc.
Attn: NYC Clean Trucks Program
249 E. Ocean Blvd., Suite 325
Long Beach, CA 90802

The Program Administrator reviews the submitted Dealership Agreement for completeness. If the Dealership Agreement is incomplete, the Program Administrator notifies the Dealership/OEM of any missing information required or request any supplement documents needed to complete the Dealership Agreement. If the Dealership Agreement is complete, the Dealership/OEM will be onboarded as an approved vendor under the NYC Clean Trucks Program. Once approved, the Dealership/OEM may begin marketing the NYC Clean Trucks Program to LMCs, IOOs, and End-Users.

2.2. BEV, PHEV, HEV or CNG Dealerships/OEMs Not Approved by the NYSERDA Truck Voucher Incentive Program

Dealerships/OEMs selling BEVs, PHEVs, HEVs, or CNG trucks must first apply for approval under the NYSERDA Truck Voucher Incentive Program. Dealerships/OEMs that do not meet the NYSERDA Truck Voucher Incentive Program requirements may still qualify to become eligible under the NYC Clean Trucks Program. If and when a Dealership/OEM is denied from participating in NYSERDA Truck Voucher Incentive Program as an eligible vendor, the Dealership/OEM may then apply to become a vendor under the NYC Clean Trucks Program. A Dealership/OEM that is interested in becoming an approved Dealership/OEM reaches out to the Program Administrator to begin the process. The interested Dealership/OEM will be provided the Dealership Agreement by the Program Administrator, or the interested Dealership/OEM may download the Dealership Agreement from the website. It is the responsibility of the Dealership/OEM to review the Terms and Conditions of the Agreement. If the Dealership/OEM is able to meet all requirements of the Dealership Agreement, the Dealership/OEM must complete and sign the Dealership Agreement and return two (2) originals with inked signatures to the Program Administrator at the following address:

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Long Beach, CA 90802

The Program Administrator reviews the submitted Dealership Agreement for completeness. If the Dealership Agreement is incomplete, the Program Administrator notifies the Dealership/OEM of any missing information required or request any supplement documents needed to complete the Dealership Agreement. If the Dealership Agreement is complete, the Dealership/OEM will be onboarded as an approved vendor under the NYC Clean Trucks Program. Once approved, the Dealership/OEM may begin marketing the NYC Clean Trucks Program to LMCs, IOOs, and End-Users.

2.3. Dealerships/OEMs Selling Only Diesel-Fueled Replacement Trucks

Dealerships/OEMs that sell only diesel-fueled Replacement Trucks do not need to be registered under the NYSERDA Truck Voucher Incentive Program. A Dealership/OEM that is interested in becoming an approved Dealership/OEM reaches out to the Program Administrator to begin the process. The interested Dealership/OEM will be provided the NYC Clean Trucks Program Dealership Agreement by the Program Administrator, or the interested Dealership/OEM may download the NYC Clean Trucks Program Dealership Agreement from the website. It is the responsibility of the Dealership/OEM to review the Terms and Conditions of the Agreement. If the Dealership/OEM is able to meet all requirements of the Dealership Agreement, the Dealership/OEM must complete and sign the Dealership Agreement and return two (2) originals with inked signatures to the Program Administrator at the following address:

Tetra Tech, Inc.
Attn: NYC Clean Trucks Program
249 E. Ocean Blvd., Suite 325
Long Beach, CA 90802

The Program Administrator reviews the submitted Dealership Agreement for completeness. If the Dealership Agreement is incomplete, the Program Administrator notifies the Dealership/OEM of any missing information required or request any supplement documents needed to complete the Dealership Agreement. If the

Dealership Agreement is complete, the Dealership/OEM will be onboarded as an approved vendor under the NYC Clean Trucks Program. Once approved, the Dealership/OEM may begin marketing the NYC Clean Trucks Program to LMCs, IOOs, and End-Users.

3. Eligible Replacement Truck Options

Alternative-fueled Replacement Trucks, including BEVs, PHEVs, HEVs, or CNG trucks, must be approved as eligible Replacement Truck options under the NYSEDA Truck Voucher Incentive Program and/or the NYC Clean Trucks Program. Dealerships/OEMs selling BEVs, PHEVs, HEVs, or CNG trucks must submit a Vehicle Eligibility Application to the NYSEDA Truck Voucher Incentive Program for review and approval. The Vehicle Eligibility Application provides information of the Replacement Truck that is used to evaluate eligibility, which includes an estimation of the applicable Rebate Incentive funding amount. The NYSEDA Truck Voucher Incentive Program makes the final eligibility determination for the submitted Replacement Truck make and model. After approval, eligible Replacement Truck makes and models are listed on the NYSEDA Truck Voucher Incentive Program website. Dealerships/OEMs do not have to submit a Vehicle Eligibility Application if the Replacement Truck make and model is already listed as an eligible option on the NYSEDA Truck Voucher Incentive Program website. See NYSEDA website for information (<https://www.nyserda.ny.gov/All-Programs/Programs/Truck-Voucher-Program>).

Once an alternative-fueled Replacement Truck make and model is listed as an approved, eligible option under the NYSEDA Truck Voucher Incentive Program, that Replacement Truck make and model is also considered an approved, eligible option under the NYC Clean Trucks Program. If a Replacement Truck option does not meet the NYSEDA Truck Voucher Incentive Program requirements or is denied, the NYC Clean Trucks Program may have the option to approve the Replacement Truck on a case-by-case basis. Replacement Truck options approved by the NYC Clean Trucks Program will only be eligible for the NYC Clean Trucks Program.

Diesel-fueled Replacement Trucks do not need to undergo the Vehicle Eligibility Application process. Diesel-fueled Replacement Trucks are considered eligible under the NYC Clean Trucks Program as long as the Replacement Truck option meets the Replacement Truck Eligibility Requirements. NYSEDA Truck Voucher Incentive Program does not provide Rebate Incentives for diesel-fueled Replacement Trucks.

3.1. NYC Clean Trucks Program Replacement Truck Eligibility Requirements

All Replacement Truck options must meet the following requirements:

- Replacement Truck must be a Class 4 to Class 8 BEV, PHEV, HEV, CNG, or diesel-fueled truck.
- Replacement Truck must be purchased through a program-approved Dealership/OEM.
 - Program-approved Dealership/OEM for BEV, PHEV, HEV, and CNG Replacement Trucks can be found on the NYSEDA Truck Voucher Incentive Program website (<https://www.nyserda.ny.gov/All-Programs/Programs/Truck-Voucher-Program/How-the-Program-Works/Eligible-Vehicles>).
 - Program-approved Dealership/OEM for diesel-fueled Replacement Trucks can be found on the NYC Clean Trucks Program website (<https://www.nycctp.com/participating-vendors/#dealerships>).
- Dealerships/OEMs must provide documentation verifying the incremental cost of the BEV, PHEV, HEV, and CNG Replacement Truck relative to a comparable diesel-fueled Replacement Truck. Diesel-fueled Replacement Trucks do not need to provide documentation demonstrating the incremental cost.
- Replacement Truck must be equipped with an engine model year equal to, one year older, or one year newer than the current calendar year. Used vehicles, including vehicles used by the Dealership/OEM or other entities for demonstration purposes, are not eligible.
- Replacement Truck may not be modified such that the tailpipe emissions profile is significantly impacted.
- Replacement Truck must meet all federal and state requirements for operation.

3.2. BEV, PHEV, HEV or CNG Replacement Truck Eligibility Application and Approval Process

The steps below provide a summary outline the NYSEDA Truck Voucher Incentive Program Replacement Truck application and approval process for BEVs, PHEVs, HEVs, and CNG trucks. See the NYSEDA website for full details (<https://www.nyserda.ny.gov/All-Programs/Programs/Truck-Voucher-Program/For-Vehicle-Manufacturers>). Alternative-fueled Replacement Truck options approved under the NYSEDA Truck Voucher Incentive Program are considered eligible Replacement Truck options under the NYC Clean Trucks Program.

1. Dealership/OEM must download the Vehicle Eligibility Application from the NYSEDA Truck Voucher Incentive Program website.
2. Dealership/OEM must complete the vehicle information on the Vehicle Eligibility Application, including truck model year, truck make, truck model, fuel-type (BEV, PHEV, HEV, or CNG), GVWR, energy and environmental attributes (kWh/mile or kg CO₂/mile), Manufacturer Suggested Retail Price (MSRP) pre-tax, incremental cost of the fuel-technology compared to a similar diesel-fueled truck, and location of vehicle assembly. Additional information may be requested by NYSEDA Truck Voucher Incentive Program.
3. Dealership/OEM must submit the Vehicle Eligibility Application, along with any supplemental documents or additional information to NYSEDA Truck Voucher Incentive Program. Documents submitted to NYSEDA Truck Voucher Incentive Program, at a minimum, must include:
 - Completed and signed Vehicle Eligibility Application;
 - Attestation that the Replacement Truck meets Federal and State requirements;
 - Documents to justify the price of the Replacement Truck and a comparable diesel-fueled Replacement Truck;
 - A written maintenance and repair plan or the contact information for a New York State certified repair facility under contract for servicing the Replacement Truck; and
 - Warranty guarantee for the motor or engine, powertrain, parts, and labor for the minimum amounts required by the NYSEDA Truck Voucher Incentive Program.

NYSEDA Truck Voucher Incentive Program reviews the Vehicle Eligibility Application for accuracy and completeness. If the Vehicle Eligibility Application is incomplete, NYSEDA Truck Voucher Incentive Program will work with the Dealership/OEM to complete the Vehicle Eligibility Application. If the Vehicle Eligibility Application is complete, NYSEDA Truck Voucher Incentive Program will notify the Dealership/OEM of the Replacement Truck option approval. The Replacement Truck will be listed on the NYSEDA Truck Voucher Incentive Program website as an eligible option. Replacement Truck options approved by NYSEDA Truck Voucher Incentive Program are also considered eligible under the NYC Clean Trucks Program.

3.3. BEV, PHEV, HEV or CNG Replacement Truck Options Not Eligible/Denied by NYSEDA Truck Voucher Incentive Program

Replacement Truck options that do not meet the eligibility criteria or are denied by the NYSEDA Truck Voucher Incentive Program may still qualify as an eligibility option under the NYC Clean Trucks Program. Dealerships/OEMs seeking vehicle eligibility approval for these trucks must submit the NYSEDA Truck Voucher Incentive Program Vehicle Eligibility Application, along with all the required supplemental documents, to the Program Administrator for review. Dealerships/OEMs must also demonstrate that an initial attempt to enlist the Replacement Truck option under NYSEDA Truck Voucher Incentive Program was denied. The required Vehicle Eligibility Application, supplemental documents, and proof of ineligibility can be sent via email to nyccpt@tetrattech.com or regular mail to the following address:

Tetra Tech, Inc.
Attn: NYC Clean Trucks Program
249 E. Ocean Blvd., Suite 325
Long Beach, CA 90802

3.4. Diesel-Fueled Replacement Truck Option

Diesel-fueled Replacement Trucks do not need to undergo the Vehicle Eligibility Application process. Diesel-fueled Replacement Trucks are considered eligible under the NYC Clean Trucks Program as long as the Replacement Truck option meets the Replacement Truck Eligibility Requirements. Rebate Incentive funding for diesel-fueled Replacement Truck options are only available under the NYC Clean Trucks Program.

4. Scrapyard Operators

Scrapyard Operators are facilities that possess current and valid vehicle dismantler permits or licenses with the technical capability to perform scrapping of Qualifying Trucks in accordance with the NYC Clean Trucks Program requirements. Qualifying Truck scrapping is an essential component of the NYC Clean Trucks Program and results in material and verifiable emissions reductions and local air quality improvements. Under the NYC Clean Trucks Program, the Rebate Incentive Applicant must scrap the Qualifying Truck at a program-approved Scrapyard Operator to receive Rebate Incentive funding towards the purchase of a Replacement Truck.

To become a NYC Clean Trucks Program-approved Scrapyard Operator, the Program Administrator may reach out to potential Scrapyard Operators based on online or database market research available, or the Scrapyard Operator may contact the Program Administrator directly. The Program Administrator works with the Scrapyard Operator interested in becoming an approved vendor under the NYC Clean Trucks Program. The interested Scrapyard Operator will be provided the NYC Clean Trucks Program Scrapyard Operator Agreement, or the interested Scrapyard Operator may download the Scrapyard Operator Agreement from the website. It is the responsibility of the Scrapyard Operator to review the Terms and Conditions of the Scrapyard Operator Agreement. If the Scrapyard Operator is able to meet all requirements of the Scrapyard Operator Agreement, the Scrapyard Operator must complete and sign the Scrapyard Operator Agreement and return two (2) originals with inked signatures to the Program Administrator at the following address:

Tetra Tech, Inc.
Attn: NYC Clean Trucks Program
249 E. Ocean Blvd., Suite 325
Long Beach, CA 90802

NYC Clean Trucks Program-approved Scrapyard Operators will be listed on the website. Rebate Incentive Applicants will identify a Scrapyard Operator from the list for scrapping of the Qualifying Truck as part of the Rebate Incentive process.

4.1. Terms and Conditions for Scrapyard Operator

NYC Clean Trucks Program-approved Scrapyard Operators must meet, and continue to meet after approval, the following Terms and Conditions:

1. Must possess current and valid local, state, and federal permits and license legally required to operate.
2. Must maintain a minimum of one (1) employee trained on the terms, conditions, and requirements of the NYC Clean Trucks Program scrapping requirements.
3. Must provide a fair scrap value estimate for the Qualifying Truck. Scrapyard Operator must honor the value on the estimate, assuming no modifications were made to the Qualifying Truck prior to delivery of the Qualifying Truck to the Scrapyard Operator.
4. Must coordinate scrapping of Qualifying Truck with the Rebate Incentive Applicant and/or Dealership/OEM.
5. Must complete the Certificate of Qualifying Truck Scrapping Inspection form and photographs to verify that the information on the form is consistent with the information on the Qualifying Truck through a physical inspection.
6. Must verify that the Qualifying Truck is delivered to the Scrapyard Operator with the chassis attached, the engine intact, and in drivable condition.
7. Must have the technical capability to render a Qualifying Truck scrapped and inoperable by:

- Cutting, drilling, or torching with a minimum three-inch diameter hold through the engine block. Alternative methods to destroy or render the engine inoperable is subject to approval by the Program Administrator.
- Cutting or shearing both the chassis rails between the two axles.

5. Rebate Incentive Eligibility Requirements

LMCs, IOOs, and End-Users must meet the following eligibility criteria to qualify for NYC Clean Trucks Program Rebate Incentive funding.

5.1. Rebate Incentive Applicant and Qualifying Truck Eligibility Requirements

Rebate Incentive Applicants must satisfy the following requirements to be eligible for Rebate Incentives:

- Must own or lease a Class 4 to Class 8 diesel-fueled Qualifying Truck with a 1992 to 2009 EMY.
- Qualifying truck must have been owned or leased and registered within the nine-county New York Metropolitan Area (Bronx, Kings, Nassau, New York, Queens, Richmond, Rockland, Suffolk, and Westchester) for the previous 24 months. Applicants must provide the New York State registrations as documentation.
- Must provide proof the Qualifying Truck has been:
 - Domiciled in or within 0.5 miles of a program-approved Industrial Business Zone (IBZ) for the previous 24 months; **OR**
 - Operated in or within 0.5 miles of program-approved IBZs at least two (2) times per week on average for the previous 24 months.
- Qualifying Truck must have operated at least 5,000 miles annually over the previous 24 months.
- Qualifying Truck must be scrapped in accordance with NYC Clean Trucks Program scrappage requirements.

Qualifying Trucks are not eligible for Rebate Incentive if:

- The Qualifying Truck would have been replaced through normal attrition (i.e., normal fleet turnover).
- The Qualifying Truck is non-functional (i.e., a non-working engine or non-operational truck).

LMCs, IOOs, or End-Users, including but not limited to entities sharing a common Taxpayer Identification Number (TIN), are considered as a single Rebate Incentive Applicant even if they are part of different subsidiaries, divisions, or other organizational structures of a company, or other entity. NYC Clean Trucks Program may seek financial reimbursement or other remedies from a Rebate Incentive Applicant for non-disclosure or inaccurate disclosure of its Tax Identification Number, or other information relating to common ownership or fiduciary control of the purchasing entity.

5.2. Replacement Truck Eligibility Requirements

Replacement Trucks purchased under the NYC Clean Trucks Program must satisfy the following requirements to be eligible for Rebate Incentives:

- Alternative-fueled (BEV, PHEV, HEV, or CNG) Replacement Truck must be listed as an approved option under the NYSERDA Truck Voucher Incentive Program or otherwise approved by the NYC Clean Trucks Program. Diesel-fueled Replacement Truck does not require NYSERDA Truck Incentive Voucher Program approval.
- Replacement Truck must have an EMY equal to the delivery date calendar year, one calendar year newer, or one calendar year older. For example, if the delivery date of a Replacement Truck occurs in Year 2020, the eligible EMY includes 2019, 2020, and 2021.
- Replacement Truck must have a similar GVWR or Class Rating as the diesel-fueled Qualifying Truck being replaced.
 - Qualifying Trucks rated Class 4 to Class 7 must be replaced by trucks in the same weight class or one weight class lower. For example, a Class 6 rated Qualifying Truck must be replaced by a truck rated either Class 6 or Class 5.

- Qualifying Trucks rated Class 8 must be replaced by Class 8 Replacement Trucks.
- Qualifying Trucks and Replacement Trucks rated Class 3 or lower are not eligible for Rebate Incentives.
- Replacement Truck must perform the same function, or vocation, as the Qualifying Truck.
- Replacement Truck horsepower must have a similar horsepower as the Qualifying Truck. A change in horsepower greater than 25% is subject to approval on a case-by-case basis.
- Replacement Truck must not be purchased prior to the execution of a Participant Agreement and approval from the Program Administrator. Replacement Trucks purchased prior to the execution of the Participant Agreement or approval are ineligible for the Rebate Incentive funding.
- Replacement Truck OEM exhaust emission control system may not be modified in any manner.

5.3. Replacement Truck Operational Requirements

Once Rebate Incentives are funded to the Dealership/OEM, the Rebate Incentive Applicant must operate the Replacement Truck in such a way to meet the following requirements for the duration of the program commitment period of five (5) years from the approved Date of Delivery.

- Replacement Truck must meet the Regular Operations Compliance Requirements:
 - Replacement Truck must be domiciled or operate in or within 0.5 miles of program-approved IBZs at least two (2) times per week on average.
 - Replacement Truck must be operated such that at least seventy (70) percent of the total Vehicle Miles Traveled (VMT) occurs within the Tri-State area of New York, New Jersey, and Connecticut.
 - Replacement Truck must operate at least 5,000 miles per year.
 - Replacement Truck must be registered on-road in the nine-county New York Metropolitan Area (Bronx, Kings, Nassau, New York, Queens, Richmond, Rockland, Suffolk, and Westchester).
- Replacement Truck must be maintained and remain in operation by the Rebate Incentive Applicant for the duration of the program commitment period of five (5) years from the approved Date of Delivery.
- Replacement Truck must equip and maintain Vision Zero Vehicle Safety Enhancement features, which include:
 - Driver- and passenger-side split mirrors;
 - Cross-over mirrors;
 - Passenger down-view mirrors;
 - Back-up alert systems (visual, audio, or radar detection); and
 - Panel or rail side guards.
- Replacement Truck must be equipped with an Automatic Vehicle Locator (AVL)/Global Positioning System (GPS) monitoring device for the duration of the five (5) year program commitment period to demonstrate Regular Operation Compliance.
 - The NYC Clean Trucks Program will purchase the AVL/GPS device and pay for the monthly subscription service.
 - Rebate Incentive Applicants will be responsible for any additional costs, including but not limited to, lost or stolen AVL/GPS devices, troubleshooting, missed appointment penalty fees, etc.

Rebate Incentive Applicants must make all related documents and records available for review by the Program Administrator or NYC DOT for five (5) years after the approved Date of Delivery of the purchased or leased Replacement Truck.

5.4. Funding for Diesel-Fueled Replacement Trucks

Diesel-fueled Replacement Trucks are restricted to small fleets operating with less than fifteen (15) medium- and heavy-duty trucks, either owned or leased (at least one year), currently registered within New York State.

Diesel-fueled Replacement Trucks are not permitted for large fleets operating with fifteen (15) or more medium-and heavy-duty trucks (owned or leased) currently registered within New York State. Large fleets are restricted to alternative-fueled (BEV, PHEV, HEV, or CNG) Replacement Truck options.

5.5. Leased Replacement Trucks

Replacement Trucks purchased by a leasing company and leased to End-Users are permitted as long as the term of the lease is at least five (5) years from the approved Date of Delivery.

In these scenarios, the leasing company is considered the NYC Clean Trucks Program Rebate Incentive Applicant. The leasing company must submit the Rebate Incentive Application and sign the NYC Clean Trucks Program Participant Agreement.

Leasing companies must also identify the End-User during the Application process. A conditional leasing agreement must accompany the Application at the time of submission. Prior to the release of Rebate Incentive, the lease agreement between the leasing company and the End-User must be fully executed. The End-User will also be required to enter into an agreement with the NYC Clean Trucks Program by signing Exhibit C of the NYC Clean Trucks Program Participant Agreement.

Exhibit C of the Participant Agreement requires the lease agreement to be no less than a five (5) year term. The End-User must also acknowledge and agree to operate the Replacement Truck in such a way to satisfy the Regular Operation Compliance requirements (Section 5.3).

Exhibit C also requires leasing companies to disclose the full Rebate Incentive amount to the End-User.

Program Administrator or NYC DOT reserve the right to review lease agreements to confirm appropriate disclosures are made regarding the Rebate Incentive received and compliance with other NYC Clean Trucks Program requirements. Leasing companies must provide Program Administrator or NYC DOT with all requested information related to any Replacement Truck purchased using Rebate Incentive funding within ten (10) business days of a written request. The leasing company is responsible for ensuring NYC Clean Trucks Program requirements and compliance obligations are satisfied, including the Regular Operation Compliance requirements stated above, by the End-User.

5.6. Replacement Truck Regular Operation Compliance Monitoring

Replacement Trucks funded using NYC Clean Trucks Program Rebate Incentives are committed to the Regular Operation Compliance requirements for a period of five (5) years from the approved Date of Delivery.

Compliance monitoring will be conducted through the use of AVL/GPS devices to track truck activity related to program compliance. The Program Administrator will review the tracked data, at least on a monthly basis, to ensure that the funded Replacement Truck adheres to the Regular Operation Compliance requirements. The NYC Clean Trucks Program will fund the purchase, installation, and monthly service fees for the AVL/GPS. Any additional fees incurred will be the responsibility of the Rebate Incentive Applicant, including but not limited to, lost or stolen AVL/GPS devices, troubleshooting, missed appointment penalty fees, etc.

5.7. All-Electric Replacement Truck Special Reporting Requirements

In addition to the Regular Operation Compliance requirements, all-electric Replacement Trucks purchased using NYC Clean Trucks Program Rebate Incentives must also provide Semi-Annual Usage Reporting. Semi-Annual Usage Reporting are requested every six (6) months from the Date of Delivery for the duration of the five (5) year program commitment period.

Rebate Incentive Applicants that received Rebate Incentives towards the purchase of an all-electric Replacement Truck are required to submit the Semi-Annual Usage Reporting. Leasing companies that received Rebate Incentives towards the purchase of an all-electric Replacement Truck are also required to submit the Semi-Annual Usage Reporting, but may pass the responsibility to the End-User. Semi-Annual Usage Reporting, at a minimum, will request the following information:

- Mileage and Electric Use Reporting – All-electric Replacement Trucks must report odometer readings, equipment hours of use, amount of electricity used for battery charging (kWh) for the applicable

reporting period. Each subsequent Semi-Annual Usage Reporting will include a cumulative summary of previous reports as well.

- Maintenance and Repair – All-electric Replacement Trucks must report maintenance and repair information, including any associated costs, for the applicable reporting period. Each subsequent Semi-Annual Usage Reporting will include a cumulative summary of the previous reports as well. Semi-Annual Usage Reporting shall include any downtime experienced due to maintenance and repair.
- Driver Feedback – Rebate Incentive Applicants or End-Users must provide feedback from drivers or operators of the all-electric Replacement Truck for each reporting period. Feedback will include any issues, whether positive or negative, regarding the operating experience of the Replacement Truck.

Rebate Incentive Applicants, leasing companies, or End-Users may contact the Program Administrator for any questions or assistance with the Semi-Annual Usage Reports.

NYC DOT reserves the right to recover a prorated amount of the Rebate Incentive funding if the Semi-Annual Usage Reporting is not completed accurately or in a timely manner. Failure to respond to the Semi-Annual Usage Reporting in a timely manner, or if inaccurate information was provided, will result in an Event of Default.

5.8. Event of Default

The following sections are occurrences that define an Event of Default. The Program Administrator and/or NYC DOT shall have the following rights upon an Event of Default:

- The right to terminate the Participant Agreement.
- The right to refuse to pay the Rebate Incentive amount if program eligibility requirements are not satisfied.
- The right to a repayment of Rebate Incentive funds if an Event of Default occurs after funds are disbursed.
- The right to revoke a Rebate Incentive Applicant's ability to participate in the NYC Clean Trucks Program or any future similar NYC DOT programs.
- The right to specific performance, an injunction, or any appropriate equitable remedy.

Regular Operation Compliance

The Program Administrator will monitor NYC Clean Trucks Program funded Replacement Truck activities through the AVL/GPS device. Compliance monitoring by the Program Administrator occurs, at a minimum, on a monthly basis. The Program Administrator may submit periodic reminders to Rebate Incentive Applicants that are at-risk of defaulting or failing to meet the minimum Regular Operation Compliance requirements.

An Event of Default occurs when the Replacement Truck fails to meet the minimum Regular Operation Compliance requirements on the anniversary of the approved Date of Delivery. Events of Default are evaluated annually and consists of the cumulative truck activity for the previous twelve (12) months. If the Program Administrator finds that a Replacement Truck is in an Event of Default on the anniversary date, a prorated repayment of the Rebate Incentives is required under the following schedule:

- 100% repayment of the Rebate Incentive if the Event of Default occurs in Year 1;
- 80% repayment of the Rebate Incentive if the Event of Default occurs in Year 2;
- 60% repayment of the Rebate Incentive if the Event of Default occurs in Year 3;
- 40% repayment of the Rebate Incentive if the Event of Default occurs in Year 4; and
- 20% repayment of the Rebate Incentive if the Event of Default occurs in Year 5;

Repayments made in accordance with the schedule will terminate the Replacement Truck's remaining NYC Clean Trucks Program obligation. Alternatively, Rebate Incentive Applicants may opt to repay 20% of the total Rebate Incentive amount for one year of default. The NYC Clean Trucks Program will then continue to monitor the Replacement Truck for Regular Operation Compliance each year of the remaining program commitment period.

For leased Replacement Trucks, the leasing company is responsible for ensuring the End-User complies with the Regular Operation Compliance requirements. These requirements may be incorporated into the leasing agreement between the leasing company and the End-User.

The Program Administrator or NYC DOT may request additional documents to support Regular Operation Compliance evaluation. The Program Administrator or NYC DOT reserves the right to review and audit any NYC Clean Trucks Program-related documents during the five (5) year commitment period.

Semi-Annual Usage Reporting

Failure to provide the required Semi-Annual Usage Reporting for all-electric Replacement Trucks accurately and in a timely manner will result in an Event of Default. If the Program Administrator finds that the all-electric Replacement Truck is in an Event of Default on the semi-anniversary or anniversary date, a prorated repayment of the Rebate Incentives is required under the following schedule:

- 100% repayment of the Rebate Incentive if the Event of Default occurs in Year 1;
- 80% repayment of the Rebate Incentive if the Event of Default occurs in Year 2;
- 60% repayment of the Rebate Incentive if the Event of Default occurs in Year 3;
- 40% repayment of the Rebate Incentive if the Event of Default occurs in Year 4; and
- 20% repayment of the Rebate Incentive if the Event of Default occurs in Year 5;

Repayments made in accordance with the schedule will terminate the Replacement Truck's remaining NYC Clean Trucks Program obligation. Alternatively, Rebate Incentive Applicants may opt to repay 20% of the total Rebate Incentive amount for one year of default. The NYC Clean Trucks Program will then continue to monitor the Replacement Truck for Regular Operation Compliance each year of the remaining program commitment period.

For leased all-electric Replacement Trucks, the leasing company is responsible for the Semi-Annual Usage Reporting. These requirements may be incorporated into the leasing agreement between the leasing company and the End-User.

Consent to Sale of Replacement Truck

If the Program Administrator or the NYC DOT, in its sole discretion, consents to the sale of the Replacement Truck by the Rebate Incentive Applicant to a third person or entity, the Rebate Incentive Applicant must promptly repay a proportional amount of the Rebate Incentive to the NYC DOT, as set forth below, within such time period set forth in the NYC DOT's letter of consent:

- 1.67% of Rebate Incentive amount per month, for each month remaining in the five (5) year program commitment period.

Trucks That Are Stolen or Accidentally Rendered Inoperable

If the Rebate Incentive Applicant reports to the Program Administrator that the NYC Clean Trucks Program funded Replacement Truck has been stolen or accidentally rendered inoperable, and confirmed by a police report and an insurance company determination of loss due to theft or accident, the Rebate Incentive Applicant may replace the Replacement Truck certified to equal or lower emission levels at the Rebate Incentive Applicant's own cost, and continue with the terms of the Participant Agreement or request to close-out the terms of the Participant Agreement with the Program Administrator.

The Rebate Incentive Applicant shall notify the Program Administrator if they choose to close-out the Participant Agreement due to accident or theft. The Rebate Incentive Applicant shall provide supporting documentation to the Program Administrator demonstrating that the Replacement Truck was accidentally rendered inoperable or stolen. The Rebate Incentive Applicant must also promptly repay a proportional amount of the Rebate Incentive funds, in the amount specified below:

- 1.67% of Rebate Incentive amount per month, for each month remaining in the five (5) year program commitment period.

6. Rebate Incentive Application Process

LMCs, IOOs, or End-Users must submit a Rebate Incentive Application to the Program Administrator to begin the rebate process. Rebate Incentive Applicants may also seek the assistance of program-approved Dealerships/OEMs in completing and submitting the Rebate Incentive Application.

Applications can be downloaded through the NYC Clean Trucks Program website (<https://www.nycctp.com/application/>).

6.1. Rebate Incentive Application

LMCs, IOOs, or End-Users seeking Rebate Incentives through the NYC Clean Trucks Program must submit a completed Rebate Incentive Application for review and approval. Applications may be downloaded from the NYC Clean Trucks Program website. Rebate Incentive Applicants are encouraged to complete the Rebate Incentive Application electronically, but must submit an original, with inked signature, to the Program Administrator at the following address:

Tetra Tech, Inc.
Attn: NYC Clean Trucks Program
249 E. Ocean Blvd., Suite 325
Long Beach, CA 90802

All sections of the Rebate Incentive Application must be completed, including:

1. Form 1: Rebate Application
 - a. Part 1: Signature Page
 - i. Rebate Incentive Applicants must complete this form, including the Company Name, Type of Company, Vocation, and Initial the Certification Statements.
 - ii. Rebate Incentive Applicants must complete and sign the authorization section.
 - b. Designation of Officials and Access to Records Location
 - i. Applicants must complete this section, including the contact information for the company's authorized official and/or designated project representative.
2. Form 2: Supplemental Application Cover Sheet
 - a. Rebate Incentive Applicants must indicate the number of trucks to be replaced using NYC Clean Trucks Program Rebate Incentive funding.
 - b. For each Qualifying Truck, the Rebate Incentive Applicant must provide the following:
 - i. Truck Registration (Must Be Current for 24 Consecutive Months)
 - ii. Truck Lien and Lien Release
 - iii. Insurance Coverage (Must Be Current for 24 Consecutive Months)
 - iv. Photograph of Engine Family Name (Engine Tag)
 - v. Photograph of Engine Serial Number (Engine Tag)
 - vi. Photograph of Vehicle Identification Number (VIN)
 - vii. Photograph of Gross Vehicle Weight Rating (GVWR)
 - viii. Proof of Service, *If Required*
3. Form 3: Supplemental Application Form

For each Qualifying Truck submitted under the Rebate Incentive Application, the Rebate Incentive Applicant must complete the following information on Form 3.

 - a. Replacement Truck Fuel Type
 - b. Section 1 – Qualifying Truck Information
 - i. GVWR
 - ii. VIN
 - iii. Truck Make and Model
 - iv. Truck Model Year
 - v. Engine Family Name
 - vi. Engine Serial Number

- vii. Engine Make and Model
- viii. Engine Model Year
- ix. Engine Horsepower
- x. Current Odometer Reading
- c. Section 3 – Replacement Truck Information, *If Known*
 - i. Fuel Type
 - ii. Truck Make
 - iii. Truck Model
 - iv. Truck Model Year
- 4. Form 3A: Proof of Service to NYC Clean Trucks Program-Approved IBZs

Rebate Incentive Applicant must demonstrate that the Qualifying Truck is domiciled in or within 0.5 miles of a NYC Clean Trucks Program-approved IBZ. If the Qualifying Truck is domiciled outside 0.5 miles of a NYC Clean Trucks Program-approved IBZ, the Rebate Incentive Applicant must demonstrate that the Qualifying Truck provides regular service to NYC Clean Trucks Program-approved IBZs at least two (2) times per week for the past 24 months.

 - a. NYC Clean Trucks Program-approved IBZs include Bathgate, Eastchester, Hunts Point, Port Morris, Zerega, Brooklyn Navy Yard, East New York, Flatlands Fairfield, Greenpoint Williamsburg, North Brooklyn, Southwest Brooklyn, Jamaica, JFK, Long Island City, Maspeth, Ridgewood, Steinway, Woodside, North Shore, and Westshore. IBZ maps can be found on the website (<https://www.nycctp.com/ibzs/>).

Once completed, the Rebate Incentive Applicant must submit the original Rebate Incentive Application, with inked signatures, along with the required supplemental documentation and photographs to the Program Administrator for review and approval. The Program Administrator will review the Rebate Incentive Application for completeness.

1. If the Rebate Incentive Application is determined to be incomplete, the Program Administrator will identify the missing information, documents, or photographs needed to complete the Rebate Incentive Application.
 - a. Rebate Incentive Applicants have thirty (30) days from the date of submittal to complete the Rebate Incentive Application. A Rebate Incentive Application will be considered denied if the Rebate Incentive Applicant fails to meet the thirty (30) day deadline.
2. If the Rebate Incentive Application is determined to be complete, the Program Administrator will issue a Letter of Approval to the Rebate Incentive Applicant. The Letter of Approval will outline the next steps of the rebate process and reserves the Rebate Incentive funding for the truck or trucks identified in the Rebate Incentive Application. The Letter of Approval will also authorize the Rebate Incentive Applicant to begin searching for a Replacement Truck at a program-approved Dealership/OEM.
 - a. Rebate Incentive Applicants have sixty (60) days from the Letter of Approval notification date to work with a Dealership/OEM to provide a draft Truck Sales Order for the purchase of the Replacement Truck. The Dealership/OEM must also submit a completed Certificate of Qualifying Truck Inspection form and photographs within this sixty (60) day timeframe. A Rebate Incentive Application will be considered denied if the Rebate Incentive Applicant and/or the Dealership/OEM fail to meet the sixty (60) day deadline.

6.2. Truck Sales Order

Once the Rebate Application is deemed complete and the Letter of Approval is issued to the Rebate Incentive Applicant, the Rebate Incentive Applicant may begin to shop for a Replacement Truck at a NYC Clean Trucks Program-approved Dealership/OEM. When a Rebate Incentive Applicant is ready to commit to the purchase of a Replacement Truck, the Rebate Incentive Applicant will work with the Dealership/OEM to draft a Truck Sales Order. The Truck Sales Order, or Purchase Order, is the estimated costs associated with the purchase of the Replacement Truck agreed upon by the Rebate Incentive Applicant and the Dealership/OEM.

The Truck Sales Order, at a minimum, must include:

- VIN of the Qualifying Truck
- Rebate Incentive Funding Amount
- Cost of Replacement Truck, Including All Applicable Taxes and Fees
- Signatures from the Rebate Incentive Applicant and the Dealership/OEM
- Date of the Truck Sales Order
- Safety Enhancement Features
 - Side Mirrors with Split Mirror Design (Driver Side and Passenger Side)
 - Cross-Over Mirrors
 - Passenger Door Down-View Mirror
 - Back-Up Alert System (Audio, Visual, or Radar Detection)
 - Truck Side Guards/Railings (Driver Side and Passenger Side)
- VIN of the Replacement Truck

The Safety Enhancement Features listed are part of NYC’s Vision Zero initiative to reduce pedestrian and cyclist injuries around the NYC area. Certain trucks and/or truck configurations may not allow for the installation of side guards/railings. Program Administrator will review side guard/railing applicability on a case-by-case basis.

The Dealership/OEM will submit the completed Truck Sales Order to the Program Administrator for review and approval. The Program Administrator will work with the Dealership/OEM if any additional information is needed to complete the Truck Sales Agreement.

The Truck Sales Order may be completed and submitted simultaneously with the Certificate of Qualifying Truck Inspection form and photographs.

6.3. Certificate of Qualifying Truck Inspection

The Rebate Incentive Applicant must also work with the selected Dealership/OEM to complete the Certificate of Qualifying Truck Inspection form and photographs. The form will be provided by the Program Administrator and is used to confirm that the Qualifying Truck information provided on the Rebate Incentive Application is consistent with the information on the truck through a physical inspection by the Dealership/OEM. A list of required photograph documentation is also provided on the Certificate of Qualifying Truck Inspection form. The form and photographs are to be completed by the Dealership/OEM. Completed form and photographs must be submitted by the Dealership/OEM to the Program Administrator for review. The Program Administrator will work with the Dealership/OEM if any additional information or photographs are needed to complete the form.

The Certificate of Qualifying Truck Inspection form and photographs may be completed and submitted simultaneously with the Truck Sales Order.

6.4. Invoicing New York City Department of Transportation

The Program Administrator will assemble a packet of Qualifying Truck information, forms, and photographs for the NYC DOT. NYC DOT will review the packet for completeness. If additional information or photographs are needed, the Program Administrator will work with either the Dealership/OEM or Rebate Incentive Applicant to obtain the requested information or photographs. If the packet is deemed complete, the NYC DOT will approve the packet and issue the Rebate Incentive to the Program Administrator. The payment transaction takes approximately thirty (30) days.

6.5. Certificate of Replacement Truck Receipt

Once the Replacement Truck is available to the Dealership/OEM (i.e., manufactured and delivered), the Dealership/OEM must notify the Program Administrator. The Program Administrator will provide the Certificate of Replacement Truck Receipt to the Dealership/OEM. The form is used to confirm that the Replacement Truck information provided on the Truck Sales Order is consistent with information on the truck through a physical inspection by the Dealership/OEM. A list of required photograph documentation is also provided on the Certificate of Replacement Truck Receipt form. The form and photographs are to be completed by the Dealership/OEM. Completed form and photographs must be submitted by the

Dealership/OEM to the Program Administrator for review. The Program Administrator will work with the Dealership/OEM if any additional information or photographs are needed to complete the form.

Dealerships/OEMs must also ensure that the AVL/GPS device is successfully installed. The AVL/GPS device is used to monitor the Replacement Truck to ensure that the Regular Operation Compliance requirements are met. The Program Administrator will submit an order to the AVL/GPS vendor for the purchase of the device. The Dealership/OEM will be contacted by the AVL/GPS vendor to schedule an appointment for the installation of the device.

The Certificate of Replacement Truck Receipt form and photographs must be completed, and the AVL device must be installed, prior to the release of the Replacement Truck to the Rebate Incentive Applicant.

6.6. Qualifying Truck Scrappage

Scrappage of the Qualifying Truck is required under the NYC Clean Trucks Program and results in verifiable emission reductions and air quality improvements. The Program Administrator will notify the Rebate Incentive Applicant and Dealership/OEM once NYC DOT has paid the Rebate Incentive funds to the Program Administrator. The Program Administrator will authorize the Dealership/OEM to release the Replacement Truck to the Rebate Incentive Applicant. Upon taking delivery of the Replacement Truck, the Rebate Incentive Applicant must arrange for the Qualifying Truck scrappage with a NYC Clean Trucks Program-approved Scrapyard Operator. Rebate Incentive Applicants will select a Scrapyard Operator from a list of NYC Clean Trucks Program-approved Scrapyard Operators found on the NYC Clean Trucks Program website (<https://www.nycctp.com/participating-vendors/#scrap-yards>). The Rebate Incentive Applicant notifies the Program Administrator once a Scrapyard Operator is selected, including the name of the Scrapyard Operator and scheduled delivery date of the Qualifying Truck.

Scrappage of the Qualifying Truck may only occur with the authorization from the Program Administrator. Scrappage of a Qualifying Truck prior to the approval of the Program Administrator disqualifies the Rebate Incentive Application from Rebate Incentive funding. Failure to comply with the scrappage requirement will also result in the forfeiture of Rebate Incentive funds. NYC Clean Trucks Program is not obligated to provide Rebate Incentive funds if any part of the scrappage requirement is not fulfilled. In such case, the Rebate Incentive Applicant will be required to pay, in full, the cost of the Replacement Truck to the Dealership/OEM.

The NYC Clean Trucks Program allows six (6) months from the date of Truck Sales Order approval for the scrappage of the Qualifying Truck. A Rebate Incentive Application will be considered denied if the Rebate Incentive Applicant fails to meet the sixty (60) day deadline. Reasonable extensions to the sixty (60) day timeline may be granted if a request is submitted in writing, by mail or electronic mail, to the Program Administrator.

Scrappage Definition

The Qualifying Truck must be delivered to the Scrapyard Operator with the chassis attached, the engine intact, and in drivable condition. A Qualifying Truck is considered scrapped when the engine is rendered inoperable by cutting a three-inch hole in the engine block and disabling the chassis by cutting the frame rails completely in half.

1. To destroy the engine: Cut, drill, or torch a minimum three-inch diameter hole through the engine block. Alternative methods to destroy or render the engine inoperable is subject to approval by the Program Administrator.
2. To destroy the chassis: Cut or shear both the chassis rails between the two axles.

Failure to comply with scrappage requirements will result in the forfeiture of Rebate Incentive funds.

6.7. Scrappage Requirements

The following documents and photographs are required to verify scrappage has been completed in accordance with program requirements:

1. Certificate of Qualifying Truck Scrappage Form

- a. The form will be provided by the Program Administrator to the Rebate Incentive Applicant. The Rebate Incentive Applicant will review the information contained on the form. The Rebate Incentive Applicant will then sign the form attesting that the information presented is true and correct. The Rebate Incentive Applicant will deliver the Certificate of Qualifying Truck Scrappage form, along with the Qualifying Truck, to the selected Scrapyard Operator.
- b. Scrapyard Operator will complete the remaining sections of the Certificate of Qualifying Truck Scrappage form, including: Scrapyard Operator Information and Qualifying Truck (Scrap Truck) Information sections.
 - i. Upon receiving the Qualifying Truck, the Scrappage Operator must photograph the Qualifying Truck in a series of “pre-scrappage” photographs. At a minimum, the Scrappage Operator must photograph the following:
 1. Front View of Qualifying Truck
 2. Driver-Side View of Qualifying Truck

All pre-scrappage photographs must be sent to the Program Administrator prior to scrappage of the Qualifying Truck. Upon receiving the pre-scrappage photographs, the Program Administrator will authorize the scrappage of the Qualifying Truck.
 - ii. Scrappage Operator will scrap the Qualifying Truck in accordance with the program requirements, described in Section 6.6, Scrappage Definition.
 - iii. Scrapyard Operators are also required to photograph and document the engine and chassis scrappage through a series of photographs, including:
 1. Engine Serial Number
 2. Engine Family Name
 3. VIN
 4. GVWR
 5. Current Odometer Reading
 6. Front View of Cut Chassis
 7. Back View of Cut Chassis
 8. Left Side View of Cut Chassis
 9. Right Side View of Cut Chassis
 10. Proof of Engine Scrappage
 11. License Plate
 - iv. Scrapyard Operators will review the Scrap Yard Statement attesting that all information is true and accurate, sign the Certificate of Qualifying Truck Scrappage form, and return the form and required photographs to the Program Administrator.
- c. The Program Administrator will review the Certificate of Qualifying Truck Scrappage form and photographs for completeness. The Program Administrator will work with the Scrapyard Operator if any additional information or photographs are needed to complete the form. The Program Administrator will sign the Certificate of Qualifying Truck Scrappage form once the form is deemed complete.

Scrapyard Operators are required to retain a copy of the form and photographs for auditing purposes. NYC Clean Trucks Program and/or NYC DOT may periodically conduct Scrapyard Operator audits to ensure that scrappage requirements are performed satisfactorily. NYC Clean Trucks Program and/or NYC DOT may also send a verifier to witness the scrappage of the Qualifying Truck. NYC Clean Trucks Program and/or NYC DOT will notify the Scrapyard Operator if a verifier will witness the process prior to the scrappage of the Qualifying Truck. If a verifier is scheduled to witness the scrappage of a Qualifying Truck, the Scrapyard Operator may not conduct the scrappage until the verifier is present, unless written authorization is received from the Program Administrator.

6.8. Rebate Incentive Disbursement

Once a Replacement Truck has been delivered and the corresponding Qualifying Truck has been scrapped, the Program Administrator will conduct a review of the Rebate Incentive Application in its entirety. If all required documents and photographs are completed, the Program Administrator will wire transfer the Rebate Incentive funds to the Dealership/OEM account provided to NYC Clean Trucks Program during the Dealership/OEM approval process. The Program Administrator will work with the Dealership/OEM, Rebate Incentive Applicant, or Scrapyard Operator if additional information, documents, or photographs are needed. NYC Clean Trucks Program will send an email notification to the Dealership/OEM and Rebate Incentive Applicant upon confirmation of the successfully disbursement of Rebate Incentives funds.

Definitions for NYC Clean Trucks Program

All-Electric Vehicle is an on-road, Class 4 to Class 8, zero-emission truck that operates solely by use of a battery pack or hydrogen fuel cell, or that is powered primarily through the use of an electric battery pack that also stores energy produced by the electric motor or by regenerative braking to assist in truck operation. Primary recharge energy must be drawn from a source off the truck, such as a connection to grid electric service. Under the NYC Clean Trucks Program rules an all-electric Replacement Truck that received NYC Clean Trucks Program Rebate Incentives must travel a minimum of 5,000 miles per year or have a minimum of 1,000 hours of operation.

Alternative Fuel Vehicle (AFV) refers to plug-in hybrid electric vehicle (PHEV), non-plug-in hybrid electric vehicle (HEV) technology, and vehicles powered by compressed natural gas (CNG).

Application Approval Date is the date on which the Program Administrator has approved an application and set aside Rebate Incentives for an eligible Replacement Truck. Rebate Incentive Applicants must submit all documentation for funding within 12 months of the Application Approval Date.

Approved Industrial Business Zones (IBZs) include the following: Bathgate IBZ, Bronx; Eastchester IBZ, Bronx; Hunts Point IBZ, Bronx; Port Morris, IBZ, Bronx; Zerega IBZ, Bronx; Brooklyn Navy Yard IBZ, Brooklyn; East New York IBZ, Brooklyn; Flatlands Fairfield IBZ, Brooklyn; Greenpoint Williamsburg IBZ, Brooklyn; North Brooklyn IBZ, Brooklyn; Southwest Brooklyn IBZ, Brooklyn; Jamaica IBZ, Queens; JFK IBZ, Queens; LIC IBZ, Queens; Maspeth IBZ, Queens; Ridgewood IBZ, Queens; Steinway IBZ, Queens; Woodside IBZ, Queens; North Shore IBZ, Staten Island; and Westshore IBZ, Staten Island. A link to IBZ ratified boundaries can be found at this link <https://www.nycctp.com/ibzs/>.

Battery Electric Vehicle (BEV) is an on-road, Class 4-8 gross vehicle weight rating (GVWR), zero-emission vehicle that operates solely by use of a battery pack, or that is powered primarily through the use of an electric battery pack that also stores energy produced by the electric motor or by regenerative braking to assist in vehicle operation.

Commercial Fleet is one or more vehicles used solely as part of a commercial enterprise (i.e., not used for individual or personal activities) that domiciles, registers, and operates Class 4 to Class 8 trucks in New York.

Compressed Natural Gas (CNG) Vehicle is an Alternative Fuel Vehicle that operates solely using compressed natural gas as its fuel.

Date of Delivery of the Replacement Truck shall mean the date the Rebate Incentive has been disbursed to the Dealership/OEM. The Rebate Incentive Applicant operating the Replacement Truck shall comply with NYC Clean Trucks Program requirements for five (5) years from the Date of Delivery of the Replacement Truck.

Dealership/OEM shall mean a Dealership or Original Equipment Manufacturer (OEM) which has entered into an agreement with the NYC Clean Trucks Program to sell eligible Replacement Trucks to Rebate Incentive Applicants.

Domiciled is the location where a truck is stored, maintained, and generally located such as a fleet depot, when not in service, at least two (2) times per week.

Drayage Truck is any on-road truck with a gross vehicle weight rating (GVWR) greater than 26,000 pounds that pulls a trailer or chassis used in the transportation cargo such as containerized, bulk, or breakbulk goods, and operates through port terminals or intermodal rail yard properties for the purpose of loading, unloading or transporting cargo, including the transportation of empty containers or chassis; or transporting cargo or empty containers that originated from or is destined to port terminals or intermodal rail properties.

Factory Build Sheet contains assembly instructions according to detailed vehicle specifications for use at the manufacturing facility.

Final Sales Agreement shall mean a sales agreement for the purchase of a Replacement Truck entered into between the Dealership/OEM and Rebate Incentive Applicant, which has been approved by the Program Administrator.

Fleet Size is defined as the number of diesel-powered trucks with a GVWR greater than 14,000 pounds registered within the State of New York that are owned, leased (greater than one year), under fiduciary control, or managed by the same person, corporation, or association, including but not limited to entities sharing a common Taxpayer Identification Number (TIN).

Gross Vehicle Weight Rating (GVWR) is the maximum operating weight/mass of a vehicle as specified by the manufacturer and described on the original manufacturer Line Setting Ticket provided to the Dealership/OEM. See below for table of weight classes.

Vehicle Class	Vehicle Weight Range
Class 3	10,001–14,000 pounds (4,536–6,350 kg)
Class 4	14,001–16,000 pounds (6,351–7,257 kg)
Class 5	16,001–19,500 pounds (7,258–8,845 kg)
Class 6	19,501–26,000 pounds (8,846–11,793 kg)
Class 7	26,001–33,000 pounds (11,794–14,969 kg)
Class 8	33,001 pounds or greater (14,969 kg or greater)

Hybrid Electric Vehicle (HEV) is an Alternative Fuel Vehicle powered by an internal combustion engine and by an electric motor that uses energy stored in a battery. The battery is charged through regenerative braking and by the internal combustion engine and does not plug in to charge.

Incremental Cost is the difference in cost between the new Eligible Vehicle and the comparable new diesel-fueled vehicle that would be purchased to perform the same function. For the purposes of this Program, the entire cost to repower a vehicle is considered its Incremental Cost.

Industrial Business Zones are based on published information through the New York State Department of Environmental Conservation (NYS DEC) under the Volkswagen Diesel Emission Environmental Mitigation Trust Agreement for State Beneficiaries, Puerto Rico, and the District of Columbia (VW Trust). The IBZ boundaries are determined by the New York City Economic Development Corporation.

Lessee shall mean any individual, corporation, partnership, joint venture, limited liability company, and any fiduciary acting in such capacity on behalf of the foregoing who has entered into a lease agreement for the Replacement Trucks from the Participant.

Line Setting Ticket is the factory build or construction sheet created when the vehicle order is sent to the vehicle manufacturer.

New Truck is a truck constructed entirely from new parts that has never been the subject of a retail sale, nor registered with New York State, or registered with the appropriate agency or authority of any other state, District of Columbia, territory or possession of the United States, or foreign, state, province, or country.

Original Equipment Manufacturer (OEM) is the company that builds or assembles, at a minimum, the completed drive train and chassis for a Replacement Truck.

Participant shall mean any individual, corporation, partnership, joint venture, limited liability company, and any fiduciary acting in such capacity on behalf of any of the foregoing who has entered into an agreement with the Program Administrator in order to participate in the Program.

Participant Agreement shall mean the agreement entered into between the Program Administrator and the Rebate Incentive Applicant.

Plug-In Hybrid Electric Vehicle (PHEV) is an Alternative Fuel Vehicle powered by an internal combustion engine and an electric motor that uses energy stored in a battery. The vehicle can be plugged in to an electric power source to charge the battery.

Program is the New York City Clean Trucks Program.

Program Website is <https://www.nycctp.com>.

Qualifying Diesel Truck shall mean a Class 4 to Class 8, on-road commercial truck equipped with a model year 1992-2009 diesel engine, and to which the Rebate Incentive Applicant has a title free and clear of all liens and meets all NYC Clean Trucks Program requirements.

Rebate Incentive shall mean an amount to be paid to the Dealership/OEM by the Program Administrator.

Rebate Incentive Applicant is the LMC or IOO that submits the Rebate Incentive Application for Rebate Incentive funding towards the purchase, of a Replacement Truck. Rebate Incentive Applicant can also be a leasing company that will lease a Replacement Truck to an End-User. The Rebate Incentive Applicant may or may not be the same entity as the truck operator.

Rebate Incentive Application is the form and process the Rebate Incentive Applicant undergoes to participate in the NYC Clean Trucks Program.

Regular Operation Compliance shall mean the Replacement Truck must:

- Be domiciled or operate in or within 0.5 miles of program-approved IBZs at least two (2) times per week on average.
- Be operated in such a way that at least seventy (70) percent of the total Vehicle Miles Traveled (VMT) occurs within the Tri-State area of New York, New Jersey, and Connecticut.
- Operate at least 5,000 miles per year.
- Be registered on-road in the nine-county New York Metropolitan Area (Bronx, Kings, Nassau, New York, Queens, Richmond, Rockland, Suffolk, and Westchester).

Replacement Truck shall mean any new truck that meets Program requirements for a Rebate Incentive that replaces a Qualifying Diesel Truck of similar weight class and vocation. The truck must be constructed entirely from new parts that have never been the subject of a retail sale, or registered with New York State, or registered with the appropriate agency or authority of any other state, District of Columbia, territory or possession of the United States, or foreign, state, province, or country.

Replacement Truck Total Purchase Price shall mean the sum total of only the following costs associated with the purchase of the Replacement Truck, each of which shall be subject to the approval of the Program Administrator: (a) the Replacement Truck final sale price quoted by the Dealership/OEM, (b) registration and title fees, (c) taxes if applicable, and (d) any other fees as may be approved by Program Administrator.

Scrappage (Scrapped or Scrap) is rendering inoperable a truck with a diesel engine model year 1992 through 2009 by verifiably cutting a three-inch hole in the engine block and disabling the chassis by cutting the truck's frame rails completely in half.

Scrappage Operator shall mean a scrappage operator that possesses current and valid vehicle dismantler's permits or licenses, which has entered into an agreement with the Program Administrator to participate in the Program.

Small Fleet is defined as a fleet with less than fifteen diesel powered trucks with a GVWR greater than 14,000 pounds registered in New York State that are owned, leased (greater than one year), under fiduciary control, or managed by the same person, corporation, or association, including but not limited to entities sharing a common Taxpayer Identification Number (TIN).

Truck Operator (End-User) is the entity that will operate the Replacement Truck under a lease agreement with a Rebate Incentive Applicant.

Upfit Manufacturer is a company that installs equipment on a truck rolling chassis purchased from an OEM. The Upfit Manufacturer must bear full responsibility under federal law for any vehicle defects and is responsible for certifying the vehicle meets all applicable federal safety standards.