



**University of Massachusetts
Amherst**

Physical Plant Division

March 26, 2007

From: Pat Daly, Director

Subject: Energy Policy Act Compliance

Purpose: The Energy Policy Act of 1992 (EPAcT) was passed by Congress to reduce our nation's dependence on imported petroleum by requiring, certain fleets to acquire alternative fuel vehicles, which are capable of operating on nonpetroleum fuels. The EPAcT State and Alternative Fuel Provider Rule requires certain fleets to acquire alternative fuel vehicles (AFVs). Compliance is required by state government and alternative fuel provider fleets that operate, lease, or control 50 or more light-duty vehicles (LDVs) within the United States. Vehicles that weigh less than 8,500 lb gross vehicle weight rating (GVWR) are considered LDVs. Of those 50 vehicles, at least 20 must be used primarily within a single Metropolitan Statistical Area (MSA)/Consolidated Metropolitan Statistical Area (CMSA) Emergency vehicles, Law Enforcement vehicles, non-road vehicles, and various other vehicles are excluded from this rule. The majority of vehicles in the University's fleet are governed by EPAcT. Covered fleets are required to report their acquisition activity to DOE no later than December 31 for each calendar year of the model year for which they are reporting. "Acquisition activity" includes newly acquired LDVs and AFVs, and biodiesel purchased for use. Covered fleets earn one vehicle credit for every light-duty AFV they acquire annually beyond their base vehicle acquisition requirements. Once they have satisfied their annual light-duty AFV acquisition requirements, covered fleets may also earn one credit for every heavy-duty AFV they acquire annually. Credits generated by vehicle acquisitions can be sold or banked for future use. Credit trading is allowed between fleets that need to buy or sell banked credits. It is Physical Plant's responsibility to ensure compliance with this statute. Departments purchasing non-alternative fuel vehicles are required to provide funding for any costs associated with the need to buy credits in order for the University to come into compliance with EPAcT and related Rules. This policy is intended to detail the process by which compliance is monitored and enforced.

For complete information visit: <http://www1.eere.energy.gov/vehiclesandfuels/epact/state/index.html>

Action: Upon receipt of any Requests for purchasing a vehicle, the Procurement Office shall provide the requestor with this policy in order that they make an informed decision as to the type of vehicle to be purchased.

The reporting period for compliance with EPAcT is September 1 through August 31 in order to correspond to the automotive model year. Reporting of acquisition activity must be made to the Department of Energy by December 31 each year. To this end, the Property Office of the University of Massachusetts Amherst shall provide the Physical Plant Assistant Director of Building & Grounds with a list of vehicles added to the fleet during the September – August year. Data shall include the License Plate number, a brief description of the vehicle, Make and Model, Vehicle Identification Number, Model Year, Cost, Purchasing Department, and Departmental contact person.

The Assistant Director of Building & Grounds shall review the list and identify any excluded vehicles. All other vehicles shall be reported to the DOE before December 31. Reporting is accomplished via the EPAcT website. The DOE calculates credits from this report and assesses points based on compliance with all applicable rules and regulations. As of the date of this policy, the University of Massachusetts, Amherst must buy credits in order to comply. Departments purchasing non-alternative fuel vehicles will be assessed the cost of purchasing credits for their vehicle (currently \$1000 per credit). Billing will be accomplished after the Assistant Director for Buildings and Grounds forwards to Associate Director for Business Administration those vehicles purchased by Campus Schools and Colleges for which a bill needs to be sent.