

CHAPTER 91

AN ACT requiring State agencies that award contracts for the purchase of items that require a power source to consider items powered by fuel cells and supplementing Title 52 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

C.52:34-6.9 State agency contracts, consideration of items powered by fuel cells.

1. A State agency that seeks to purchase any item requiring the use of a power source, including but not limited to motor vehicles, material and cargo-handling equipment such as forklifts, harbor craft, generators, power systems, portable floodlights, microgrids, and telecommunications equipment, shall include in the request for proposals provisions that allow for the consideration of items that are powered by fuel cells.

As used in this section:

“fuel cell” means a device or system that is designed to provide heating or cooling, or electrical or mechanical power, by converting the chemical energy of a fuel and an oxidant into electricity through a non-combustive electrochemical process; and

"State agency" means any of the principal departments in the Executive Branch of the State Government, and any division, board, bureau, office, commission or other instrumentality within or created by such department and any independent State authority, commission, instrumentality or agency which is authorized by law to award contracts.

2. This act shall take effect immediately.

Approved May 12, 2021.