

May 13, 2024

Liane M. Randolph, Chair, and Board Members
California Air Resources Board
1001 I Street
Sacramento, CA 95814

Re: Proposed Amendments to the Advanced Clean Trucks Regulation

Dear Chair Randolph and Honorable Board Members:

The Northeast States for Coordinated Air Use Management (NESCAUM) is writing to express strong support for adopting the proposed amendments to the Advanced Clean Trucks (ACT) regulation by the California Air Resources Board (CARB).

NESCAUM is the regional nonprofit association of state air quality agencies in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont. NESCAUM serves as a technical and policy advisor to its members and works with broader groups of states to develop strategies to achieve their shared air quality and climate goals. For more than three decades, NESCAUM has supported states in using the authority under Section 177 of the Clean Air Act to adopt California's motor vehicle emission standards. Currently, NESCAUM hosts a workgroup for Section 177 states across the country to assist with and coordinate state adoption and implementation of California's clean car and truck standards. NESCAUM also facilitates the Multi-State ZEV Task Force, which serves as a unique forum for galvanizing state leadership on complementary programs and policies through research and analysis, information sharing, collective strategizing, and coordinated action on shared priorities.

Medium- and heavy-duty (MHD) vehicles, mostly powered by diesel combustion engines, are a major source of greenhouse gas (GHG) emissions and a significant contributor to smog-forming pollutants that negatively impact public health. These vehicles make up only 5 percent of total onroad vehicles in the U.S., but are responsible for 24 percent of GHG emissions,¹ 58 percent of NOx emissions,² and 52 percent of fine particulate matter (PM_{2.5}) emissions from onroad

¹ U.S. Environmental Protection Agency, EPA 430-R-23-002. EPA (2024). Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2022 U.S. Environmental Protection Agency, EPA 430R-24004, <https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks-1990-2022>.

² U.S. Environmental Protection Agency, 2020 NEI Supporting Data and Summaries. U.S. Environmental Protection Agency, <https://www.epa.gov/air-emissions-inventories/2020-nei-supporting-data-and-summaries>; and Annual Vehicle Distance Traveled in Miles and Related Data – 2022(1) By Highway Category and Vehicle Type (updated February 2024), Federal Highway Administration, <https://www.fhwa.dot.gov/policyinformation/statistics/2022/pdf/vm1.pdf>.

vehicles.³ MHD vehicles also log more than double the average annual mileage of light duty vehicles, with their milage projected to grow due to rapid growth in e-commerce and home delivery of consumer goods.⁴ The adverse impacts of MHD vehicle pollution are even more pronounced in frontline and overburdened communities located near freight distribution hubs, bus depots, and trucking corridors.

In 2021, CARB adopted the ACT regulation to reduce harmful emissions from medium- and heavy-duty vehicles as part of California’s comprehensive strategy to achieve state air quality and climate mitigation targets. Since then, ten states have exercised their right under Section 177 of the Clean Air Act to adopt the ACT regulation as a key strategy for meeting their own air quality, public health, and greenhouse gas reduction targets.

CARB is now proposing a number of minor amendments to the ACT regulation that will provide important clarifications and additional flexibilities for manufacturers. For instance, the proposed amendments include clarifying that compliance determinations and sales reporting requirements are both defined when vehicles are produced and delivered for sale in California, and not when vehicles reach the ultimate purchaser. These proposed changes will provide manufacturers with greater clarity to determine when they generate deficits and earn credits under the ACT regulation. At the same time, the proposed amendments establish acceptable documentation for tracking vehicles that will enable CARB to verify final sale of a vehicle to an ultimate purchaser.

The proposed amendments will also provide manufacturers with increased flexibility by extending the period to make up a deficit. Given the potential for unforeseen market fluctuations and other variables outside of the manufacturers’ control, amending the amount of time that a manufacturer has to make up a credit deficit from one year to three years will assist manufacturers in complying without affecting the overall objective of the regulation and mitigate against an unintended increase in enforcement actions. In addition, the proposed amendments will better align the ACT regulation with the Advanced Clean Cars II regulations so that manufacturers may choose to get credit for class 2b-3 zero-emission vehicles under either regulation but not under both to avoid double counting.

Most importantly, these amendments will have minimal cost impacts and no impact on the emissions reductions expected from the implementation of the ACT regulation, while maintaining the necessary acceleration of the zero-emission truck market.

Thank you for the opportunity to comment on the proposed amendments to the ACT regulation. We appreciate California’s continued leadership in protecting the environment and public health

³ Ibid.

⁴ Annual Vehicle Distance Traveled in Miles and Related Data – 2022(1) By Highway Category and Vehicle Type (updated February 2024), Federal Highway Administration, <https://www.fhwa.dot.gov/policyinformation/statistics/2022/pdf/vm1.pdf>.

from motor vehicle pollution. Our states look forward to continued collaboration in our joint effort to electrify the transportation sector.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul J. Miller". The signature is written in a cursive, flowing style.

Paul J. Miller
Executive Director

cc: NESCAUM Directors