



JANET T. MILLS
GOVERNOR



MELANIE LOYZIM
COMMISSIONER

MEMORANDUM

TO: Board of Environmental Protection
FROM: Lynne Cayting, Bureau of Air Quality
DATE: October 7, 2021
RE: Proposed rule to adopt zero emission vehicle (ZEV) sales requirements for medium and heavy-duty vehicles in accordance with 38 M.R.S. §585-D and §576-A – request for posting for public hearing

The Department of Environmental Protection (Department) is proposing a new rule, Chapter 128, *Advanced Clean Trucks Program*, which will adopt California's Advanced Clean Trucks (ACT) regulation to encourage the sale of electric medium- and heavy-duty vehicles as part of a comprehensive strategy to implement recommendations from the "Maine Won't Wait" Climate Action Plan.

Title 38 § 576-A requires the Department to prioritize greenhouse gas (GHG) reductions by sectors that are the most significant sources of greenhouse gas emissions. Mobile sources and the fossil fuels that power them are the largest contributors to the formation of ozone, GHG emissions, fine particulate matter (PM_{2.5}), and toxic diesel particulate matter. In Maine, based on the 2017 National Emissions Inventory, on-road heavy-duty vehicles are responsible for approximately 26% of GHG emissions, and nearly 50% of smog forming nitrogen oxides (NO_x) and PM_{2.5} from the transportation sector. The proposed regulation will accelerate Maine's transition to ZEVs which have no tailpipe emissions and will reduce both Maine's GHG emissions and its dependence on fossil fuels.

The International Council on Clean Transportation modeled results of Maine's adoption of California's ACT regulation compared to a business as usual scenario. The model results show that by 2050, implementing the ACT regulation alone will reduce GHG emissions (in terms of CO₂ equivalent emissions) by 12%, NO_x emissions by 13%, and PM_{2.5} emissions by 10%.

Adopting Chapter 128 will help ensure that truck manufacturers offer affordable ZEV choices to fleets and accelerate sales of zero-emission medium and heavy-duty vehicles in Maine. California determined that this technology-advancing regulation was necessary for manufacturers to increase investments in producing medium- and heavy-duty ZEVs. The proposed ACT regulation will introduce ZEV sales requirements in Maine for certain manufacturers that sell vehicles in weight classes 2b through 8 (gross vehicle weight rating > 8,500 lbs.). The sales requirement will be a percentage of the manufacturer's annual sales volume for that model year in Maine, varying by model year, vehicle class, and vehicle type. The regulation will also require manufacturers of medium- and heavy-duty vehicles to participate in a credit/deficit program beginning in 2025, and increase the percentage of zero-emission trucks sales in Maine every year through 2035.

Departmental Recommendation:

The Department recommends that the Board post the draft rule for a public hearing.

Estimated Time of Presentation:

20 minutes

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

THIS PAGE INTENTIONALLY LEFT BLANK