



**MAINE MUNICIPAL
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To: Lynne Cayting, Chief Mobile Sources Section in the Bureau of Air Quality, MDEP
Fr: Rebecca Graham, Senior Legislative Advocate, MMA Advocacy & Communications
Re: Rulemaking Comments for Chapter 128, Advanced Clean Trucks Program
Date: August 17, 2023

Municipalities across the state wholeheartedly believe in a shift to green transportation. Many have used their community infrastructure to grow charging station access, including in rural areas, adopted the first all-electric cars for police agencies to test, explored all electric small truck transfer vehicles and are proactively seeking ways to make charging solutions accessible to residents.

They are undertaking this shift where it makes sense and adequately fits municipal operations.

That said, these are technologies that are not easy to adopt across all levels of municipal transportation needs and nowhere is that more challenging than with public works operations. Many rural and northern communities have vast road network systems they must maintain with a variety of different vehicles including large and medium to small plows trucks, and sidewalk clearing vehicles that are necessary to plow narrow roads often with uneven gravel beds. These situations are not fit for purpose for ZEV vehicles currently on the market and do not present enough of a market for other fuel technologies to actively meet a 2027 deadline for replacement.

Additionally, under the exemptions to Prohibitions in 5(B), it's ironic that rental vehicles for out of state destinations will be exempted from compliance yet the distance from the "Crown" of Maine to Kittery is the same as from Augusta to Connecticut.

Municipal officials, waste management, public works and correctional transportation services all provide necessary and required services in vehicles that would be impacted by this proposed rule. By their nature and geography, they are often forced to drive long distances where there is no current charging infrastructure, and unlikely to be any soon, let alone by 2027. Even where there is charging infrastructure, in some cases stopping for such long charging periods would place employees, or their cargo at risk, or further complicate already long commutes especially as extreme cold weather would reduce the expected battery output by up to 40% less than usually advertised.

For instance, correctional transport vehicles must regularly bring incarcerated individuals from Presque Isle to Wiscasset where adequate bed space is available and return those individuals to court when their hearings are established. County jail transportation activities often span multiple jurisdictions in a single day, and stopping for any length of time during a prisoner transport is extremely risky even when planned. These vans are not classified as emergency vehicles in statute or under the definitions in the proposed rules or operated by a "peace officer".

Some rural schools, and community recreational programs use smaller vans with market installed wheelchair ramps to transport children with exceptional needs not only to local schools but to after school activities in other areas of the state. While hybrid options exist, the newest fully electric wheelchair van has a range of 126 miles, while most only range 65 miles. The 2027 deadline for alternatives is unlikely to produce an option to adequately meet the range requirements for the rural Maine geography.

Municipalities need greater options and choices that may be better suited for non-battery only vehicles, but also reduce emissions. Municipal leaders and their employees are consistently looking for alternatives where they make sense and function in the ways that are necessary for critical operations. Colder areas of the state with vast geographic operations may be better suited for FCEVs which need a longer timeline for market development to fit all ways local governments use light and medium sized trucks. Additionally, most areas of Maine lack adequate access to knowledgeable mechanics to address vehicle issues in electric cars away from the I-95 corridor from Bangor south.

As proposed, this rule is placing electric trucks before the infrastructure “horse” without due regard for the needs and challenges of rural communities. Voluntary adoption is happening at all levels of government and should be encouraged and supported, not mandated by rule. The market for these vehicles in the municipal sphere will be amongst the last to be developed, and the time period for implementation is not enough to ramp up the additional charging infrastructure necessary to support their operation and maintenance in municipalities that must operate beyond municipal boundaries in the vast geography of Maine.

Please consider adding all vehicles for municipal or county operations, not just emergency response vehicles, to the list of exempted vehicles under 5(B) in the proposed rule. If nothing more, please add an additional provision that exempts municipal government from requiring a transition to ZEVs unless and until there is one that adequately meets the needs of the municipal operations it is intended for and adopted as part of the capital lifecycle process to limit the impact on the property taxpayer.