



October 27, 2022

Honorable Chair Liane Randolph
Honorable Board Members
California Air Resources Board
1001 "I" Street
Sacramento, CA 95814

RE: New York Support for the Advanced Clean Fleets Rule

Dear Chair Randolph and California Air Resources Board Members,

On behalf of the ElectrifyNY Coalition, which represents members throughout New York State, we urge the California Air Resources Board (CARB) to direct Staff to adopt the Advanced Clean Fleets (ACF) rule in the strongest form possible. As leaders in the fight for clean air, climate justice, and the rights of all workers, we strongly urge the Board to adopt a modified version of the Advanced Clean Fleets regulation that accelerates the 100% sales target to 2036 and cuts emissions from high-polluting Class 7 and 8 tractors.

States and communities across the country are counting on California's leadership to clean up pollution from diesel trucks. The ACF rule is vital to addressing air quality, climate, and environmental justice crises within our communities by requiring a portion of medium- and heavy-duty (MHD) vehicle fleets to transition to zero-emission vehicles (ZEVs). It provides a logical next step to the Advanced Clean Trucks (ACT) rule that New York and many other states have already adopted, and would continue to support our own efforts to clean up diesel pollution in our state. California's proposed ACF rule would propel MHD ZEV sales over the next 20 years, generating massive economic, public health, and environmental benefits for California, while paving the way for the rest of the nation to adopt similar standards.

People who live near freight hubs or "diesel death zones"—including ports, highways, warehouses, and rail and intermodal yards—are disproportionately exposed to high concentrations of pollution from the combined activity of diesel-fueled heavy-duty trucks, equipment, rail, and vessels. Countless studies show that diesel-powered vehicles emit fine particulate matter (PM_{2.5}) and nitrogen oxides (NO_x), which lead to numerous adverse health outcomes and even premature death. For decades, low-income communities and communities of color located near freight hubs, bus depots, and trucking corridors have been directly and disproportionately affected by the cumulative impacts of air pollution and GHGs from transportation and other emissions sources.

In New York, MHD vehicles are responsible for [52% of NO_x and 45% of PM_{2.5}](#) emitted by on-road vehicles. Class 7-8 combination trucks make up [only 9% of the total MHD vehicles](#) on New York roads but account for 33% of vehicle-miles traveled and 43% of total fuel use. Therefore, these large trucks have an outsized impact on public health and climate impacts

compared to other vehicle classes. Adopting the ACF rule with modifications will help ensure that these top polluting vehicles are addressed in a timely manner.

While the Clean Air Act preempts every state except California from establishing motor vehicle emissions standards that are more stringent than U.S. federal standards, states may “opt-in” to California’s standards. California therefore serves as a leader on air quality and climate change for not only Section 177 states, but also for the nearly 20 states that are party to the [Multi-State ZEV Task Force](#). These states, including New York, have identified several CARB policies as part of their [action plan](#) for driving down transportation emissions, including recommending the adoption of the ACF rule. New York recognizes that California’s regulations are necessary to transition their fleets to ZEVs. For example, New York Governor, Kathy Hochul, directed the State Department of Environmental Conservation to initiate a [rulemaking for Advanced Clean Cars II](#) the month after CARB adopted the rule. We are relying on CARB and California’s leadership on this issue in order to make an impact within our own state.

Like California, New York State has established itself as a climate leader. The Climate Leadership and Community Protection Act (CLCPA), signed into law in 2019, sets ambitious emission reduction mandates that requires steep emission cuts across all sectors of the economy. The state has formally promulgated an economy-wide emission budget for 2030 and 2050, and is finalizing a roadmap to chart the course towards a zero-emission economy. The transportation sector figures prominently in this blueprint, given that mobile source emissions account for [28% of GHG emissions statewide](#), and are on the rise. The State’s modeling shows that [at least 40% of new MHDV sales](#) must be zero-emission by 2030 to remain on target for the CLCPA’s binding 2030 and 2050 emission limits. A strong ACF rule will provide a useful tool for New York to meet these benchmarks and fulfill its responsibilities under the CLCPA.

By adopting the strongest ACF rule possible, California can continue to catalyze the MHD ZEV market within and outside the state, allowing other states to follow suit and work towards a nationwide ZEV transition. The transition to zero-emission technologies provides certainty that communities will be protected against direct emissions from trucks. It is critical CARB adopts the strongest rule possible, including accelerating the 100% ZEV sales target to 2036, and cleaning up the highest polluting Class 7 and 8 tractors.

ElectrifyNY is grateful for CARB’s leadership on sensible clean truck standards that will pave the way for adoption outside of California. Many elements of the current proposal are sufficiently strong and must be retained, particularly the drayage and public fleet requirements and the commitment to only allow zero-emission technology for compliance. Despite these strong elements, more can and should be done. We look forward to CARB adopting the strongest ACF rule possible.

Sincerely,

ElectrifyNY Coalition

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ElectrifyNY is a statewide coalition of advocates for environmental justice, public transportation, social justice, and good jobs fighting for a clean, equitable electric transportation future for New York. Our work aims to improve the environment and public health outcomes for the communities most affected by the negative impacts of the transportation sector's dependency on fossil fuels.