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Subject: Colorado Energy Office comments on Advanced Clean Truck, docket act2019
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I am writing on behalf of Colorado state agencies that are involved in advancing the state's GHG emissions reduction goals and zero emission vehicle goals. The State of Colorado recognizes the importance of the medium- and heavy-duty trucking sector in our economy and the vital role these vehicles play in our daily lives. This has been apparent during the on-going COVID-19 pandemic as trucks are responsible for providing Colorado citizens with many critical goods and services.

We also understand that emissions from diesel vehicles are a significant contributor to both climate change and NOx and particulate pollution and that decisive action is necessary to transition this sector to zero emission technologies. As we are developing plans to achieve the state's recently adopted legislative targets of a 50% reduction in GHG emissions below 2005 levels by 2030 and 90% by 2050, it has become clear that decarbonizing medium and heavy duty vehicles will be essential.

In April the state adopted an updated electric vehicle plan which commits us to evaluate adopting the Advanced Clean Truck rule. While we have not yet conducted a state-level feasibility analysis for whether we will be able to adopt this rule under section 177 of the U.S. Clean Air Act, we are concerned that Colorado and other states that may consider adoption may be in somewhat different positions than California, given the significant head start due to both charging and hydrogen infrastructure investments and significant investments made through HVIP and other programs in California. In order to maximize the likelihood of adoption by other states, which will amplify the impacts of the rule, we strongly encourage the California Air Resources Board to consider the exportability of the final ACT rule so that the benefits of zero emission medium- and heavy-duty trucks can be maximized across the United States.

Specifically, we encourage the Board to consider the following provisions:

1. The ability for some percentage of credits to "travel" between states, similar to how the light-duty ZEV rule permitted credits for fuel cell vehicles and battery electric vehicles earned in one state to be counted as earned in all ZEV states at a proportional value. This will be particularly important in the early years of the ACT program while production volumes in the heavier weight classes are ramping up to meet demand. While we would not recommend a provision as expansive as the light duty travel provision, which really led to very little ZEV deployment in other states in the early years, a modified travel provision that allowed a calibrated level of credits to be traveled could provide useful flexibility.
2. The ability to pool credits regionally. This could allow manufacturers to place vehicles into high demand areas with existing infrastructure that are prepared to deploy vehicles immediately without creating a compliance shortfall in other states.

We appreciate CARB's leadership, and are looking forward to evaluating the potential to adopt the ACT rule in Colorado after the rule has been finalized. Thank you for the opportunity to comment.

Sincerely,

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