

# NISSAN

GROUP OF THE AMERICAS

July 28<sup>th</sup>, 2022

Ms. Liane Randolph  
Chair  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95814

**RE: Comments on Advanced Clean Cars 2 (ACC II) Proposed 15-day Modifications to Text of the Proposed Amendments**

**Dear Ms. Randolph:**

Nissan North America, Inc., on behalf of itself and its parent company, Nissan Motor Company (collectively "Nissan") appreciates the opportunity to offer comments on the recently published CARB Advanced Clean Cars 2 (ACC2) Proposed 15-day Modifications to Text of the Proposed Amendments (hereinafter "15-day Modifications"). Nissan commends the work of CARB staff and the board on the proposed regulation and for working with industry to address our concerns and developing regulation language that will facilitate the transition into electrified vehicles. The comments contained herein are intended to provide Nissan's perspective on specific issues contained within the 15-day Modifications language.

Nissan is committed to supporting California in reaching its climate goals and meeting State and federal air quality standards. We understand that the intent of ACCII is to drive the sales of zero emission vehicles to 100% ZEVs by 2035, as established by the Governor's Executive Order N-79-20 and further reducing smog-forming emissions from new internal combustion engines.

Nissan is further committed to reducing greenhouse gas emissions and to growing the ZEV market. By fiscal year 2030, Nissan is targeting electric vehicles to account for 40% of projected new car sales in the United States.

To achieve these ambitious targets, it will be necessary to have sufficient infrastructure, increased consumer education and a fully-trained and equipped workforce. These foundational requirements need to be matched with broadly available incentives to ensure consumer confidence, engagement with the new technology and to facilitate long-term customer demand. We continue to urge CARB staff to consider all these components as this regulation moves forward into the future.

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The proposed regulations are the most transformative and challenging to date and Nissan is committed to doing our part.

## *About Nissan North America*

Nissan is a global automobile manufacturer offering a full line of light-duty vehicles in the United States and throughout the world, with U.S. sales of over 900,000 vehicles in CY2021. Nissan directly employs more than 19,000 employees throughout the United States and creates tens of thousands of additional jobs at Nissan/Infiniti dealerships in the U.S. Nissan supports the transformational change to vehicle electrification in the U.S. and globally, and Nissan has sold over 600,000 battery electric LEAF's worldwide.

## *Alliance Comments*

Nissan is a member of the Alliance for Automotive Innovation, as such we incorporate by reference the comments submitted by the Alliance on this rulemaking. The following remarks provide additional commentary to reinforce the comments made by the Alliance and provide Nissan-specific perspective related to various aspects of 15-day Modifications.

The following is a priority area for Nissan that merits additional comment.

## *Zero Emission Vehicles – Battery Durability*

Nissan is supportive of durability requirements to ensure performance over the lifetime of the vehicle and appreciates the 15-day Modifications to align those requirements more closely with what is currently technically feasible. We remain concerned, however, about the 2026-2029 model year test sample group non-conformance finding threshold of, "... more than 30 percent of the vehicles in the test sample group fall below 65 percent of the certified all-electric range." 1962.7 (e)(5)(A)1.

This smaller number of test vehicles (compared to the typical durability non-conformance threshold of 50 percent of the test sample), makes clear identification of exclusion criteria for abuse and excessive use even more important. However, the exclusion criteria for abuse and excessive use across all EVs in the market remain unclear. Because "norms" across EV customer use for vehicle-to-grid, amount of DC charging and high battery temperatures and state-of-charge will continue to develop with the market, the measure of abuse and excessive use will be subject to potential change over time as the market matures.

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We suggest that the Executive Officer should consider customer norms of EV use existing in the market at the time of vehicle certification as part of CARB's "good engineering judgement to establish a specific limit or otherwise exclude specific vehicles [during later testing]... that are unrepresentative of the majority of users or represent usage that could not have reasonably been foreseen by the manufacturer when the vehicle was originally manufactured." Such collaboration on criteria will be needed to avoid having vehicles with abuse and excessive use inappropriately account for the small 30 percent of sample vehicles allowed to be non-conforming.

## CONCLUSION

Nissan looks forward to working with the California Air Resources Board, its staff, and all stakeholders to develop regulations that are complemented by strong federal, state, and local policies to support the transition to a zero-emission vehicle future. Nissan supports one national program across all 50 states that includes California's engagement and urges the regulatory agencies to pursue a regulatory program that encourages holistic consideration of the most cost-effective means to decarbonize the transportation sector and transition to an all-electric vehicle future that benefits the industry, its workforce, the nation, and our global climate.

Sincerely,



Tracy Woodard, Director  
Government Affairs