



The Honorable Liane Randolph  
Chair, California Air Resources Board  
1001 I St, Sacramento, CA 95814  
Sacramento, California 95814

December 6th, 2024

**RE: Second 15-Day Notice for Advanced Clean Trucks Regulation**

Dear Chair Randolph and Members of the Board:

Clean Energy is a collaborative partner and ally of the California Air Resources Board (CARB) who is committed to help the state achieve its clean air and climate goals on time. While we believe the recent Advanced Clean Truck (ACT) amendments that provide more original equipment manufacturer (OEM) compliance flexibility are a step in the right direction, we also encourage CARB to consider adding additional flexibility so that the regulation has an opportunity to effectively meet California's emission reduction and product availability goals.

The medium and heavy-duty truck market is facing significant challenges meeting the current regulation as outlined, especially for class 7 and 8 trucks. Specifically, the ability to purchase newer, cleaner combustion vehicles is severely limited, if not impossible, creating an otherwise avoidable market and goods movement crisis. From our market analysis, we believe the direct cause is the combination of regulations that were implemented this year: ACT and the Omnibus regulation. We fear these truck market problems could become more detrimental between 2025-2027, as new Section 177 states adopt ACT absent the history, resources, infrastructure or credit bank of California. Additionally, the initial zero-emission vehicle (ZEV) requirements of these states must match California's higher compliance percentage levels in the subsequent years.

While the regulation may be working as intended to limit combustion truck sales, the compliance pathway is proving to be very challenging. The resulting consequences could be severe and jeopardize the health of California's goods movement industry, associated greenhouse gas emission reductions, and air quality benefits.

**AMENDMENT RECOMMENDATION**

To help address this potential problem and improve the regulation's ability to achieve California's ambitious emissions reduction goals, we recommend that CARB extend its amendment to delay the deficit generator provision to include model year 2025. Without an incentive for the 2025 model year, we believe fleets will delay purchase decisions until 2026, thereby missing an opportunity to replace dirtier diesel trucks with the purchase the cleanest internal combustion engine trucks

on the market today. We also suggest this amendment be extended for both medium- and heavy-duty trucks, and for it to be mirrored in the Advanced Clean Fleets regulation for consistency.

We believe our proposed remedy would further ensure that product blackouts are unlikely, allaying any real-world impacts on California businesses while preserving near-term air quality reductions. This also would continue to incentivize the sale of ZEVs through the ability to still generate credits and gives OEMs more time to bank sales credits, with all other requirements remaining the same, including the ZEV compliance timetable. This would also allow for fleets to purchase a CARB certified low-carbon combustion engine which is cleaner than the current thresholds of either 50mg NOx or Family Emission Limit 50mg or below.

We recognize the second 15-day Notice is an improvement and intended to address the product shortage problem. By allowing an additional year of flexibility, we believe CARB will improve certainty in product availability, minimize the costs to goods movement, improve California's cost of living, and substantially advance our emission reduction goals at the same time. The amendment would certainly affirm California's role as the world leader in rapid transportation sector decarbonization.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ryan Kenny", with a stylized, flowing script.

Ryan Kenny  
Policy Director – Western U.S.  
Clean Energy