

Good afternoon Chairperson Nichols, Distinguished Board members:

As Chairman of the Electric Auto Association, whose members have driven 8.5 million ZEV miles since 2003 - I come here to convey a simple message.

I believe that you have been misinformed about the current availability viability of pure ZEVs and that the CARB staff has completely erred in recommending you backtrack for years to come, with requirements that can, in fact, be met today.

As CARB progressively gutted its 1990 ZEV targets (from 2% in '98, 5% in '01, and 10% in '03), it decided that we should wait for FCV research instead of proceeding with proven BEV technology. BEVs need no research, while clearly FCVs still need so much.

Today FCV research is not living up to your 2003 'dreams', and so the Feb 2008 Staff Report (the ISOR) proposes further delays, reducing the 2012 target so much so as to make this ZEV regulation irrelevant! Please hold the course. In fact, increasing those numbers would be appropriate, given the state of BEV technology.

Your 2003 retreat has been blamed on that the infamous 2002 lawsuit by the automakers. In your ISOR, CARB staff writes, that "The ZEV program was last modified in 2003 to resolve legal challenges and to better address the state of technology." Why wait, when the program's own success with pre-2003 ZEV requirements was so nicely demonstrated conclusively from '96-'03 - that indeed BEV technology could succeed, if given a chance? My own car is proof of that.

Furthermore CARB is giving undue preferential treatment to fuel cells. It is inappropriate for you to decide on which ZEV technology is best. Very recently GM and Toyota openly stepped back from FC technology while Ballard Power Systems, the FC pioneer, has sold its automotive FC assets. Why? Due to the long timeline to commercialization and high cost of development. And yet CARB continues to lean toward FCVs for its ZEV program. As a technologist, I recognize this as a misguided 'tilting'.

FCVs only make it more expensive for Californians to drive per mile, using over 3 times our precious renewable electricity of BEVs even if hydrogen production research goals are ever met. Why should we burden California drivers with those costs which would no doubt delay market acceptance?

Will technological advances make FCVs more competitive? No. The laws of thermodynamics will not allow it. Electric vehicles are fundamentally more efficient.

Both batteries and fuel cells have finite lifetimes. Yet battery technology is moving very rapidly due to heavy use in cell phones, and laptops while you know there are still major hurdles to overcome for fuel cells, not the least of which is finding a place developing an infrastructure to refill them. Virtually every American today has no

power grid access to recharge their cell phones (and someday their cars). No new infrastructure is needed!

I urge you to reconsider and increase your numbers; don't 'tilt' towards the vagueness of true unknowns.

Thank you.