

SHELLY BOSHART DAVIS
STATE REPRESENTATIVE
DISTRICT 15



HOUSE OF REPRESENTATIVES

November 14, 2024

Dear Chair Donegan and Members of the Oregon Environmental Quality Commission:

I am writing to respectfully request a delay in the implementation of the Advanced Clean Trucks (ACT) rule to 2027. Given the lack of technological advancements and infrastructure necessary to support this transition, I believe that the implementation of these rules, while well-intentioned, will actually slow the reduction of emissions from the transportation sector while harming local industries and communities who rely on trucks to keep Oregon's economy moving. In addition, this will also affect dealerships, industries, companies and individuals that rely on all Class 2b-8 vehicles including but not limited to RV's and pick-up trucks.

As you are aware, the ACT requires a certain percentage of sales of new diesel vehicles in Oregon to be zero-emission vehicles (ZEV) beginning with model year 2025. A manufacturer generates ZEV credits when a new ZEV is sold to the final purchaser. The challenge is that internal combustion engine trucks and RV's cannot be sold until a certain percent of ZEVs have been purchased by consumers to generate the credits needed to comply. Consumer uptake has not occurred to the level needed that would allow this regulation to function as intended across many classes of trucks and RV's. It's confusing, but I believe we are putting the cart before the horse in this real-life scenario my office is hearing about on a daily basis.

The demand, affordability and feasibility of purchasing heavy duty electric vehicles is not there for many Oregon consumers, particularly on such a short timeframe. California, on the other hand, has recognized many of those challenges and put significant investment into infrastructure and incentives to support roll out of this rule. Despite these investments, the heavy-duty truck market in California dropped 70 percent this year as fleets wrestle with purchasing more expensive equipment that doesn't meet their commercial needs. If California's efforts to fund grants and encourage investment has led to a 70 percent decrease, we can only imagine the impact in a state like Oregon that lacks the resources to do the same.

Without a delay of the ACT, Oregon-located dealerships, trucking companies and small businesses will face significant losses. This inability to purchase a new truck will unfortunately force public and private fleet owners to keep existing trucks on the road longer than they normally would. It is illogical to expect a fleet owner to purchase a different, more expensive truck that has less range, lacks the ability to complete the needed function, or has an unreliable ability to access rapid charging stations or ZEV fuel. This will not help Oregon meet its emissions reduction targets.

SHELLY BOSHART DAVIS
STATE REPRESENTATIVE
DISTRICT 15



HOUSE OF REPRESENTATIVES

Outside the trucking industry, both the heavy-duty pickup truck and RV industries are just now realizing the seriousness and reality of these rules. I believe they assumed this rule would not apply as, rightly so, they knew ZEV vehicles for these classes and types of vehicles simply do not exist, nor does the infrastructure or customer demand. Why would the State of Oregon advance a regulation that is unattainable with current technology?

While decreasing emissions, as envisioned under the ACT, is a commendable effort, the rule's requirements are neither realistic nor achievable. The trucking industry has made considerable progress in the past decade toward decreasing emissions and improving technology behind ZEV trucks, but the industry has not made enough progress to meet these new standards on the stringent timelines required by this new rule. ZEV trucks cost substantially more than conventional trucks. Additionally, ZEVs pose serious range issues, have less fuel/distance capacity and Oregon has not made investments in charging and refueling infrastructure necessary to allow for widespread adoption by consumers. Industry members have also pointed out that ZEVs are not a one-for-one replacement, meaning more trucks will be needed to move the same amount of freight. Simply put, Oregon consumers are being forced into this new technology before they are able to safely and appropriately meet these new standards.

Of states that initially supported the adoption of ACT standards, North Carolina, Connecticut and Maine have since backed away from this initiative. Other states have adopted the rule but delayed the implementation date; Colorado, Maryland and Rhode Island delayed the start of the rule to model year 2027. **It is also worth noting CARB adopted new rules to increase the percentage of adoption rate from 40-75% (depending on Class) to 100% adoption by 2036.** I urge the EQC to follow this pragmatic approach and delay implementation so as to avoid disrupting Oregon's economy.

The implementation of the ACT on January 1, 2025 will have a detrimental impact on local businesses and public bodies if you do not temporarily delay it. For this reason, I am imploring you to delay the implementation of the ACT until January 1, 2027 in line with other states. I appreciate your consideration of this request.

Sincerely,

Shelly Boshart Davis
Oregon House of Representatives

Cc:

Governor Tina Kotek

Leah Feldon, Director – Oregon Department of Environmental Quality