

What is the California Advanced Clean Truck (ACT) Regulation that Maine is looking to adopt?

The Maine DEP is proposing to adopt California's Advanced Clean Trucks Rule (ACT) "to accelerate sales of zero-emission medium- and heavy-duty vehicles and reduce greenhouse gas emissions and criteria air pollutants from on-road mobile sources in Maine. Manufacturers are the regulated party and ACT will help ensure that truck manufacturers offer affordable zero emission vehicle choices to fleets."

See the [DEP's Rulemaking Fact Sheet](#) for the ZEV Sales Percentage Schedule by vehicle class starting with model year 2025. Written comments are due by November 15, 2021.

Rulemaking Talking Points:

- Maine's electrical grid is not in a position to support the servicing and operation of current ZEV adoption rates, let alone expansion.
- Commercial vehicle charging infrastructure doesn't exist in Maine, will be extremely expensive to build and would not be supported by the existing electric grid capacity without significant investments.
- Adoption of ACT without a plan to upgrade the grid, including where the significant investment dollars will come from, puts the cart before the horse.
- Maine proposes to adopt California regulations without the same relative incentives. CARB lists [41 programs with combined funds over \\$3.5 billion](#).
 - For instance, a [Class 8 ZEV tractor in California has a \\$120,000](#) incentive.
 - For comparison, in Maine, the original funding from the VW settlement designated for reducing diesel emissions was just over \$4m in 2017.
- The proper process for adopting such a significant rule would have been through the Maine Climate Council where industry stakeholders have been actively engaged. Maine DEP did not seek any stakeholder input before pursuing rulemaking to adopt ACT.
- This rulemaking is considered routine technical in Maine law. However, such a significant change should be done through the major substantive rulemaking process given the enormous impact it will have on the Maine economy.
- Neighboring states who do not adopt ACT will benefit from Maine's adoption, at the expense of Maine truck dealers. Sales of non-ZEV's will go across the border as Maine grapples with grid, infrastructure and incentive investments that will be problematic given the aggressive timetable for the manufacturing mandate.
- Vehicle costs and affordability as well as a wide variety of operational concerns need to be overcome, such as market availability, service and maintenance facilities and technicians, cold weather climate realities (40% range reduction in cold weather), logistical hurdles with charging station location and charge times, etc.
- Businesses will likely put off buying new trucks until ZEV technology and infrastructure catch up to real-world needs. CMV life cycles will get longer when we want new trucks with the latest emission control technologies to improve air quality now.
- Support market-driven choices for voluntary commercial adoption of ZEV's when applications warrant it, not an arbitrary sales threshold.
- Alternatively, support targeted adoption strategies, focused on certain commercial applications where it makes sense.

Would your business group like to sign on to a Coalition written comment submission with these points? Please contact **Brian Parke (bparke@mmta.com)** – deadline is COB 11/12/21. Please provide your group name and how many members you have so we can include the aggregate (showing broad opposition) in the written comments.