



State of New Jersey

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NJ Low Emission Vehicle Program

BACKGROUND

In January 2004, New Jersey enacted the Clean Car Program under N.J.S.A. 26:2C-8.15 et seq. which required the DEP to implement rules adopting the California Low Emission Vehicle (LEV) program to reduce criteria pollutant emissions and greenhouse gases emitted by motor vehicles in New Jersey. DEP promulgated LEV rules under N.J.A.C. 7:27-29 which became effective on January 27, 2006. The rules are applicable to 2009 and newer light duty motor vehicles less than or equal to 8,500 lbs. Gross Vehicle Weight Rating (GVWR) that are sold or registered in New Jersey. It does not include medium-duty vehicles, off-highway vehicles, all-terrain vehicles and motorcycles. The LEV program will reduce vehicle emissions, helping to reduce the adverse impacts that these emissions have on air quality and human health.

REQUIREMENTS

In summary, there are four parts to the program:

1. **California Emission Certified Vehicle Requirement:** This means that all vehicles sold in New Jersey must have received an Executive Order from the California Air Resources Board (CARB) certifying that the vehicles meet emission standards set forth in the California Low Emission Vehicle rules. In addition, the manufacturers must provide a lengthier and broader emission control system warranty than required by the federal (USEPA) program.
2. **Zero Emission Vehicle (ZEV) Requirement:** Manufacturers must generate credits equal to a certain percentage of their production volume, as outlined in the tables below. They comply by directly selling ZEVs in NJ or using other flexibilities as described below. For example, in 2017 each regulated manufacturer must generate credits equal to 14% of their production volume. Only 3% of those credits must be from pure electric vehicles; the remainder of the credits are an assortment of other types of clean vehicles. Remember that credits don't directly correspond to number of vehicles since Battery Electric Vehicles (BEV), Fuel Cell Vehicles (FCV) and Transitional Zero Emission Vehicles (TZEV or plug-in hybrids) can earn multiple credits. Also note that until 2018, credits can be generated from delivery of BEVs, FCVs, TZEVs, Advanced Technology Partial Zero Emission Vehicles (AT PZEV) and conventional gasoline Partial Zero Emission Vehicles (PZEVs). Only BEVs, FCVs and TZEVs can generate credits after model year 2018.

Various flexibilities exist to help with compliance:

- There is a “travel” provision that allows a manufacturer to sell a BEV in California and get partial credit towards New Jersey’s requirements until 2017.
- Manufacturers can use previously earned credits to comply. The credits can be generated from over complying in a previous year or can be purchased from other manufacturers who are unregulated or who have excess credits banked.
- Starting 2015/2016, a new “pooling” provision allows manufacturers to comply by placing a vehicle in one northeastern state and using some of the generated credits to meet its compliance obligation in NJ.

In addition, there are two compliance paths available to manufacturers. The standard one is set forth in Table 1. Manufacturers may opt for the alternate compliance path in Table 2 which provides flexibility in meeting ZEV requirements.

Table 1: TRADITIONAL COMPLIANCE PATH

Requirement by Model Year	Total ZEV Percent Requirement	Minimum percent of credit from ZEVs	Allowable percent of credit from TZEVS	Allowable percent of credit from ATPZEVS	Allowable percent of credit from PZEVS
2012-2014	12.0	0.79	2.21	3.0	6.0
2015-2017	14.0	3.0	3.0	2.0	6.0
2018	4.5	2.0	2.5		
2019	7.0	4.0	3.0		
2020	9.5	6.0	3.5		
2021	12.0	8.0	4.0		
2022	14.5	10.0	4.5		
2023	17.0	12.0	5.0		
2024	19.5	14.0	5.5		
2025	22.0	16.0	6.0		

Table 2: ALTERNATE COMPLIANCE PATH

Requirement by Model Year	Total ZEV Percent Requirement	Minimum percent of credit from ZEVs	Allowable percent of credit from TZEVS	Allowable percent of credit from ATPZEVS	Allowable percent of credit from PZEVS
2012-2014	12.0	0.79	2.21	3.0	6.0
2015	14.0	3.0	2.25	2.0	6.0
2016	14	3.75	2.40	2.0	6.0
2017	14	4.5	2.55	2.0	6.0
2018	4.5	1.25	2.25		
2019	7.0	3.0	3.0		
2020	9.5	5.25	3.5		
2021	12.0	8.0	4.0		
2022	14.5	10.0	4.5		
2023	17.0	12.0	5.0		
2024	19.5	14.0	5.5		
2025	22.0	16.0	6.0		

Highlights indicate differences from traditional compliance path

3. Non-Methane Organic Gas (NMOG) Fleet Average Emissions Requirement: All passenger cars and light duty trucks delivered for sale must meet a fleet average emission requirement for NMOG which is a type of volatile organic carbon (VOC) that causes ozone. Beginning in the 2015 Model Year, the standard will be based on NMOG+NO_x standard. The California standards were harmonized with the USEPA standards in model year 2017.
4. Greenhouse Gas Requirement: All passenger cars and light duty trucks delivered for sale must meet a fleet average emission requirement starting with the 2009 Model year. Beginning with model year 2012, the California standard was harmonized with the USEPA standard.

Where can I get more information?

California Air Resources Board ZEV Tutorial

https://www.arb.ca.gov/msprog/zevprog/factsheets/zev_tutorial.pdf

DEP Rule Adoption: California Low Emission Vehicle (LEV) Program

<http://www.state.nj.us/dep/aqm/sub29.htm>

Please note this advisory is intended to be a summary explanation of a DEP rule. It does not include all potentially applicable requirements. If you have any questions about complying with this rule, please contact the Low Emission Vehicle Program at 609 292-7953.