



October 8, 2020

Catherine McCabe
Commissioner
New Jersey Department of Environmental Protection
401 East State Street
P.O. Box 402
Trenton, NJ 08625-0420

Submitted via email: NJairrulesmobile@dep.nj.gov

Re: Reducing CO2 Emissions: Advanced Clean Trucks, Heavy-duty Engines and Vehicles, and Fleets

Dear Commissioner McCabe,

Environment New Jersey submitted joint comments with another collection of organizations, but we wanted to clearly state our support for New Jersey adopting California's Advanced Clean Truck rule (ACT), Zero Emission Fleet rule, and Heavy-Duty Engine and Vehicle Omnibus regulation. Because transportation emissions account for 42% of New Jersey's total greenhouse gas emissions, it is imperative that NJDEP prioritizes reducing the emissions from mobile sources. Transportation emissions lead to serious health problems, especially for people living along travel corridors or near areas of high traffic congestion, who tend to already face disproportionately high emissions from other sources. New Jersey has instituted numerous policies to address the impacts of light-duty vehicles and encourage the transition to electric cars, but has yet to establish regulations for the medium- and heavy-duty sectors. This is where the NJDEP's attention should be right now. Most importantly, NJDEP should focus on the build out of a statewide network of charging stations, with a particular focus on DC fast charging along travel corridors, as well as the electrification of our medium and heavy duty diesel sector and the charging requirements for this sector. This effort will not come cheaply, but New Jersey has a number of funding sources available. The Volkswagen Settlement and the Regional Greenhouse Gas Initiative (RGGI) both provide funding already earmarked for the electrification of medium- and heavy-duty vehicles, which can provide expected funding of more than \$600 million over the next decade.

Environment New Jersey has worked for decades to reduce greenhouse gas emissions from the transportation sector, since our founding in 2006, and through our former home of the New Jersey Public Interest Research Group, and has advocated for Clean Car standards and Zero Emission Vehicles (ZEVs) for more than three decades.

We support the Advanced Clean Truck rule, Zero Emission Fleet rule, and Heavy-Duty Engine and Vehicle Omnibus regulation because they will help New Jersey reach the goals laid out in the multistate Medium- and Heavy-Duty Zero Emission Vehicle Memorandum of Understanding (MOU) and the Global Warming Response Act (GWRA). The MOU, signed by Governor Murphy in July, created goals for New Jersey's to have 30% of new sales of medium- and heavy-duty vehicles be electric vehicles by

2030, and 100% of these sales by 2050. Additionally, the GWRA mandates New Jersey reduce statewide greenhouse gas emissions by 80% of 2006 levels by 2050. To reach these goals from the MOU and the GWRA, New Jersey needs to speed up electrification of the transportation sector.

New Jersey has instituted numerous policies and programs recently to spur adoption of light-duty vehicles, like the EV Rebate Program, but not to increase adoption of medium- and heavy-duty vehicles. We need technology forcing regulations in the medium- and heavy-duty sectors, as we cannot afford to wait to institute policies to fight climate change. New Jersey should look for inspiration through the leadership of [Gov. Gavin Newsom in California's executive order](#) of banning new gas vehicles sales by 2035 and afterwards, as well as the mandates set out by the California Air Resources Board (CARB) to electrify California's medium and heavy duty diesel vehicle sector fully by 2045, and drayage trucks by 2035. It is this type of forward leadership, based partially on California's precedent of air pollution laws that predate the 1970 federal Clean Air Act, and its Clean Air Act program that helped speed the development of the first commercially available electric cars more than three decades ago that New Jersey should emulate. The Garden State shares both the air pollution from the vehicle fleet, our largest source of climate pollution comes from tailpipes on our roads and the vastly large proportion of pollutants from the dirtiest medium and heavy duty diesel trucks means that New Jersey should adopt a similar technology forcing mandate approach on our dirty trucks, which the latest ChargeEV report makes clear.

This is also fully in line with the ambitions laid out in the regional electric trucks MOU signed by Governor Murphy and 14 other governors this July, which outlines an aggressive interim target of 30 percent zero-emission vehicle sales by 2030. [Governor Murphy's statement](#) on joining the regional agreement outlines the stakes eloquently:

“The MOU will go a long way toward slashing harmful diesel emissions and cutting carbon pollution. The transportation sector is the nation's largest source of greenhouse gas emissions and also contributes to unhealthy levels of smog in many of the signatory states. Accelerating the electrification of trucks and buses is an essential step to achieve the deep economy-wide emission reductions needed to avoid the worst consequences of climate change and protect the health of millions of Americans. While trucks and buses only account for 4 percent of vehicles on the road, they are responsible for nearly 25 percent of total transportation sector greenhouse gas emissions. In fact, emissions from trucks are the fastest growing source of greenhouse gases, and the number of truck miles traveled on the nation's roads is forecast to continue to grow significantly in the coming decades.

Truck and bus electrification also promises to deliver wide spread health benefits, particularly in communities with heavy truck traffic that are burdened with higher levels of air pollution. Medium- and heavy-duty trucks are a major source of harmful smog-forming pollution, particulate matter, and air toxics. These emissions disproportionately impact low-income communities and communities of color often located near major trucking corridors, ports, and distribution hubs.

The MOU comes at an important transition point for the industry as investment in zero emission vehicle technology for the medium- and heavy duty sector continues to ramp up. Today, at least 70 electric truck and bus models are on the market, and manufacturers are expected to make many more new models commercially available over the next decade. Apart from the public health benefits and avoided health care costs zero emission trucks and buses provide, by 2030, the total cost of ownership for many common commercial vehicles is projected to reach parity with conventionally fueled vehicles.”

New Jersey pledged as part of the program to coordinate state efforts to meet these goals by working through the multi-state ZEV Task Force facilitated by NESCAUM to develop the ZEV action plan for our polluting trucks and buses.

As we laid out in our joint comments, there are a number of ways New Jersey could pay for these programs. First is the Volkswagen (VW) Settlement, which is specifically designated for reducing NOx emissions. Since medium- and heavy-duty vehicles emit significant amounts of NOx, more than the entire

light-duty sector, it follows that VW Settlement funds would go towards electrification of trucks and fleets, and more stringent NOx standards. Second is funding generated by the RGGI auction process, which is expected to generate approximately \$80 million each year, with at least \$60 million dedicated towards the electrification of medium and heavy duty diesel vehicles. RGGI funding is intended to fund public projects that will advance clean, equitable transportation. Therefore, RGGI is an ideal funding source for ACT, zero- emission fleets and the low NOx rule. A third possible funding source is the Transportation and Climate Initiative (TCI), which we strongly encourage New Jersey to join the program and sign the final TCI MOU. TCI is expected to generate hundreds of millions each year, which would be designated for investment in cleaner transportation with a focus on equity with at least 35% of TCI funds being dedicated towards environmental justice communities. We would hope at minimum that the investment dedicated towards electrification of medium and heavy duty diesel vehicles would at least be more than \$100 million annually, ideally starting in 2024 (and fully acknowledging that there are many steps to take to reach that point). Therefore, NJDEP could use TCI to fund these three regulations.

Environment New Jersey is supportive of New Jersey adopting by reference California's Advanced Clean Truck rule, Zero Emission Fleets rule, and Heavy-Duty Engine and Vehicle Omnibus regulation to accelerate the transition to zero emission medium- and heavy-duty vehicles in New Jersey.

We appreciate the opportunity to provide comments on these critical issues. Please feel free to reach out with any questions to myself at domalley@environmentnewjersey.org or at 917-449-6812.

Sincerely,

Doug O'Malley
Director
Environment New Jersey