



October 8, 2020

Department of Environmental Protection
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Submitted electronically via email to njairrulesmobile@dep.nj.gov

RE: Reducing CO2 Emissions: Advanced Clean Trucks, Heavy-duty Engines and Vehicles, and Fleets, Medium-duty Vehicle Inspections: Public Comment

To Whom it May Concern:

Thank you for the opportunity to participate and comment in the NJ PACT Stakeholder Meetings. Tri-State Transportation Campaign (TSTC) is non-profit advocacy and policy organization dedicated to reducing car and truck dependency and promoting a more balanced, environmentally sound and equitable transportation network. We have operated in the Tri-State region of New Jersey, New York, and Connecticut for the past 27 years and we are pleased to provide comments on the NJ PACT Stakeholder Meetings on Advanced Clean Trucks, Heavy-duty Engines and Vehicles, and Fleets, and Medium-duty Vehicle Inspections held on September 10, 2020.

Our comments address and support the following regulations for reducing medium and heavy duty vehicles emissions, producing benefits to the health and climate for New Jersey:

- Advanced Clean Trucks
- California Zero Emission Fleets
- California Heavy-Duty Engine and Vehicle Omnibus
- Medium Duty Diesel Vehicle Inspection

Electrifying our transportation sector is not merely an environmental goal. It also has implications across the state:

- Economic benefits for vehicle owners from reduced costs over the lifecycle of these vehicles
- Health benefits from cleaner air, including in the form of averted health costs from avoided cases of respiratory diseases such as childhood asthma
- Resiliency benefits from mitigating costs from the downstream effects of climate change.
- Provides opportunities to address and rectify the air quality and health of environmentally overburdened communities.

Overall, Tri-State Transportation Campaign (TSTC) recognizes the advantages in adapting CARB regulations to accelerate the electrification of the approximately 500,000 medium and heavy duty trucks registered in New Jersey. Adapting the CARB strategies and California regulations as NJ PACT rules will provide a strong foundation to act on climate change and meet New Jersey's climate goals of 100% clean energy, reducing GHG emissions by 80%, and

electrifying 75% of medium-duty and 50% of heavy-duty trucks by 2050. Electrifying the medium and heavy duty sector is a key component of staying on track with New Jersey's long-term climate goals, and CARB's regulations on this matter provide excellent guidelines.

The transportation sector emits the most greenhouse gas pollution amongst all sectors in New Jersey accounting for 42% of carbon emissions. Of that 42% of carbon emissions, one third of GHG emissions are from medium and heavy-duty vehicles. Transportation also is the source of 71% of New Jersey's NOx pollution and 27% of PM_{2.5} pollution, causing increased risks from premature mortality, incidence of respiratory diseases, and harm to our communities -- particularly to communities of color who all too often bear the brunt of localized pollution from highways sited near their homes and families. Therefore it is important to bear in mind not only the climate and health impacts of reducing transportation related pollution levels, but also to specify and design where these reductions will occur to best improve the quality of life for these burdened communities of New Jersey particularly when defining zero emission fleet zones. A preliminary [health study](#) from the TRECH Project led by Harvard illustrated that New Jersey will derive millions of dollars in health benefits from stricter carbon caps¹. This study and literature of climate and health emphasize the clear social benefits of efforts to decarbonize transportation and the importance impact of these proposed NJ PACT rules.

As a corridor state, New Jersey's road networks are critical to move goods, services, and people between major hubs on the eastern seaboard. It is also critically important that New Jersey and regional neighbors work together to foster a strong and unified transition to zero emission MHD vehicles throughout the region through a MHD ZEV Action Plan. The movement of pollution and vehicles are not restricted to state or local boundaries, therefore any geographical gaps in a regional rollout can undercut the effectiveness of NJ PACT's ruling and the purpose behind New Jersey's climate and electrification goals.

Our comments touch upon specific regulations in the subsequent sections below.

California Advanced Clean Truck (ACT) Regulation

TSTC supports the holistic approach that the Advanced Clean Truck (ACT) regulation takes to accelerate a wide spread transition to zero-emission MHD vehicles, but seeks further clarification on the details of ACT. ACT will specifically help transition a majority of the roughly 342,000 MHD fleet vehicles of the total 500,000 MHD registered in New Jersey.

We look forward to future clarification around several details of the ACT regulation. With regards to the zero emission vehicle (ZEV) sale requirements it is unclear if the target numbers for the ZEV sale requirements are adjusted to New Jersey's needs and current MHD population. Additionally, we seek further clarification around how credits values will be calculated and transferred across weight classes and time in the final ruling and what metrics will be used (i.e. mile-ton of average use) to assign credit values.

It is also unclear if assigning exemptions for manufacturers below 500 annual sales reflects the market for New Jersey or was the number used by CARB. We ask for clarification for what role

¹ <https://www.hsph.harvard.edu/c-change/news/trechstudy/>

or value used ZEV sales will play in the credit market, if any. A used vehicle market credit will increase affordability and accessibility of ZEVs to New Jersey fleets and private owners of MHD vehicles, as not all vehicles purchased or sold will be newly manufactured ZEVs.

With regards to the one-time reporting requirements we would suggest regular periodic reporting requirements to capture shifts in usage patterns over time since New Jersey's climate and electrification benchmarks, and sale requirements, are scheduled into 2035 and beyond. We would encourage building in a periodic reassessment and adjustment every 5 years of the sale requirements to encourage the further acceleration of a ZEV transition or address the limitations of the pace of available technology as different types of vehicles become commercially viable. We would also encourage that incentives for early infrastructure costs and transitions be equitably distributed to not just the larger fleet owners but as well as the smaller fleets and private owners as well.

We also emphasize and support the importance of adapting complementary regulations including the California Heavy-Duty Engine and Vehicle Omnibus regulation and the Medium Duty Diesel Vehicle (MDDVs) Inspection regulation to complement the Advanced Clean Truck regulation. The Omnibus regulation ensures that fleets that keep their older heavy vehicles will have to meet stricter standards and encourage the transition to zero emissions vehicles with cleaner NOx and PM_{2.5} emissions.

The Omnibus and MDDV Inspection regulations appear to cover the population of private vehicles not directly addressed in the fleet regulations. Inspections should be in line with standards for other diesel vehicles, accurate and enforced especially given the lack of effectiveness in the current self reporting standards, and the fact that MDDVs are primarily registered and operated in urban, environmentally overburdened communities.

Again these specific regulations underline the importance of adopting multiple regulations working in concert to address the whole fleet of existing trucks and incentivize not only the supply of ZEVs but also transition older engines to meet modern standards for cleaner air and healthier communities.

California Zero Emission Fleets regulation

TSTC supports the California Zero Emissions Fleets regulation as a promising and vital piece of the CARB strategy for MHD vehicles. This regulation increases the demand for ZEVs in fleet owners as ACT requires OEMS to supply more ZEVs to the market. TSTC recognizes much of this is still in development phases in California, but considers many pieces of the Zero Emissions Fleet regulation to be important to equitably prioritize reducing transportation emissions in New Jersey.

Purchases by truck segments should prioritize fleets that interact the most with our communities and the local residents, particularly for overburdened and underserved communities. The EMA Proposal prioritizes school buses and municipal stepvans to be the first and earliest 100% ZE

sales/purchases. TSTC also believes transit buses should be given a higher priority on this schedule. As transportation advocates working directly with New Jersey bus riders, TSTC is all too familiar with the impact of public transportation on the lives of New Jerseyans. By law 100 percent of new bus purchases will be zero emissions buses by Dec. 31, 2032 and in line with this ruling we believe that a 100% ZE bus fleet is achievable sooner than the proposed 100% ZE fleet by 2040 date. TSTC also considers fixed route and on-demand service vehicles to be important priorities given the increasing demand for first and last mile delivery services and proximity to residential areas of refuse and delivery vehicles.

In the consideration of a zero-emission zone definition, TSTC would like to highlight the recent environmental justice bill [NJ S232 \(20R\)](#)². The bill defines a “burdened community” as any census tract, as delineated in the most recent federal decennial census, that is ranked in the bottom 33 percent of census tracts in the State for median household income. TSTC encourages the consideration of this definition as NJ PACT looks to define zero emission fleet zones. We would also emphasize that these zero mission fleet zones place an emphasis on areas that have historically high pollution and emissions from the cumulative impacts of all sources of air and carbon pollution, not just transportation when considering the definition of zero emission fleet zones.

Lastly TSTC would encourage the development and collection of metrics via GPS such as ZE Miles standards to track and report data, as accurate data is important for enacting accurate and beneficial policy changes required. GPS tracking and reporting will act as a method of accountability and evidence for enforcement of zero-emission zones. The combination of data, prioritization of large segments of the MHD vehicle population which operate within communities, and the adoption of burdened communities as zero-emission zones will enable the Zero Emission Fleet regulation to address climate and health in an equitable manner.

Thank you for the opportunity to comment as these policies develop in NJ PACT and TSTC looks forward to future developments on these issues in New Jersey.

Sincerely,

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² https://www.njleg.state.nj.us/2020/Bills/S0500/232_11.HTM