

The Honorable Shawn LaTourette
Acting Commissioner
New Jersey Department of Environmental Protection
401 East State Street
Trenton, New Jersey 08608

Dear Acting Commissioner LaTourette:

The Department of Environmental Protection (NJDEP) has announced its intent to adopt California's heavy-duty on-highway (HDOH) emission regulations. Those regulations include both California's Advanced Clean Trucks Rule (which mandates the sales of zero-emission vehicles (ZEVs) and its Omnibus Low-NO_x Rule (which only allows the sale of engines meeting ultra-low NO_x emission standards and a wide range of extremely stringent additional requirements).

The undersigned parties support New Jersey's climate change and clean energy goals. Indeed, we strongly believe that ZEVs are the future of the HDOH commercial vehicle marketplace. We are very interested in seeing New Jersey take a leadership role in further developing HDOH ZEVs through incentive-based programs and, most important, in developing the necessary ZEV refueling/recharging infrastructure. But, we oppose NJDEP's premature plans to accelerate the deployment of HDOH ZEVs through the adoption of California's rules.

The adoption of the California Rules is highly problematic for New Jersey. Those rules were designed for California's unique and extreme air quality problems. They require manufacturers to sell ZEVs and ultra-low emission products but have no corresponding requirement that anyone buy them. The California Rules will result in huge increases in the cost of a truck; costs that greatly exceed any possible corresponding environmental benefits. The sophisticated purchasers of commercial vehicles – business people who invest their capital in trucks that must earn them a profit – likely will keep their old, higher emitting products longer or will buy out of state. Truck customers will not purchase new "California" vehicles until their costs are more in line with the cost of otherwise available diesel trucks and without first being assured that the necessary refueling/recharging infrastructure is in place.

The key to implementing a successful regulatory driven ZEV future for commercial vehicles is through the implementation of a national rule which must include funding to both build out the necessary infrastructure and to provide the incentives needed to offset the higher initial purchase and life-cycle operating costs of ZEVs. A national program will provide a level playing field and will avoid New Jersey businesses losing sales and jobs to neighboring states.

NJDEP should focus its efforts in working with us and other stakeholders, as well as the Governor's office, the legislature, and the Economic Development Authority to incentivize the market for ZEVs. We all also ought to support the Biden Administration's national efforts on climate change and clean energy and encourage EPA to implement appropriate national standards. Rushing ahead to adopt California's Rules in New Jersey will lead to major unintended negative consequences that will hurt the economy, the environment, and will set back, not advance, New Jersey's goals. While we support New Jersey's efforts to move towards a ZEV future for

commercial vehicles, adopting the California Rules is not the answer.

Thank you for your consideration. The contact for our coalition is Gail Toth, Executive Director, New Jersey Motor Truck Association, gtoth@njmta.org.

Very truly yours,

Jed Mandel, President, The Truck and Engine Manufacturers

Gail Toth, Executive Director, The New Jersey Motor Truck Association

Jim Cobb, Director of Government Affairs, The New York Shipping Association

Bill Sullivan, Executive Vice President of Advocacy, The American Trucking Associations

Ray Cantor, Vice President for Government Affairs, The New Jersey Business and Industry Association

Sal Risalvato, Executive Director, The New Jersey Gasoline, C-Store, and Automotive Association

Jacqueline Gelb, Vice President for Government Relations, Navistar International Corporation

Sean Waters, Vice President of Product Compliance and Regulatory Affairs, Daimler Trucks North America

Dawn Fenton, Vice President of Government Relations and Public Affairs, Volvo Group North America

Steve Rush, President, Carbon Express

Jim O'Leary, Vice President for Fleet Services, NFI