



NEW JERSEY LEGISLATURE

LEGISLATIVE OFFICES

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October 4, 2023

Alice A. Previte, Esq.
Attention: DEP Docket No. 01-23-07
Office of Legal Affairs
New Jersey Department of Environmental Protection
401 East State Street, 7th Floor
PO Box 420
Trenton, NJ 08625-0402

Re:
DEP Docket No. 01-23-07
Proposal Number PRN-2023-083

Dear Ms. Previte:

Please accept this letter as part of the public comment in regard to the above-referenced rule proposal filed by the New Jersey Department of Environmental Protection (NJDEP) in August to adopt California's Advanced Clean Cars II (ACC II) regulation. ACC II will require manufacturers of passenger cars and light-duty trucks to deliver for sale into New Jersey, starting with model years 2027 through 2035, a growing number of new zero-emission vehicles (ZEVs). These requirements are intended to increase the percentage of electric vehicles (EVs) sold in New Jersey. Under the proposal, by 2035, manufacturers will be required to deliver for sale into New Jersey **only** new EVs. Consumers will only be able to purchase a new EV, a used EV or used gas-powered vehicle, or will need to go out-of-State to purchase a new gas-powered vehicle.

As the State legislative representatives of the 24th Legislative District, we oppose ACC II and request that the NJDEP withdraw the proposal for the following reasons.

EVs do not meet every driver's needs or lifestyle. Consumers demand choice and that is what the market responds to. ACC II will simply negate consumer choice by administrative fiat. Realistically, New Jersey will attain a 100% EV sales market when consumers elect to buy zero-emission vehicles, not when the government mandates them. Consumers have signaled that they have serious concerns about ready access to EV charging stations, accommodating the longer time needed to charge EVs as well as 'range anxiety' for how long a charge will last. Limiting choice, when one is in the market to purchase a new vehicle, is clearly not in the best interests of New Jersey consumers.

If adopted, ACC II will make consumers hesitate to replace their older vehicles or will force them to go out-of-state to buy the new vehicle of their choice. ACC II is a heavy-handed government approach that will have the negative effect of forcing manufacturers to send fewer vehicles to New Jersey, which will lead to consumers buying fewer new cars and even result in others holding onto their current gas-powered vehicles longer than customary. In actuality, this ill-conceived proposal will harm the automobile industry and our economy that benefits from consumers buying new cars of their own choosing at New Jersey dealerships.

In addition, EVs are not within the price range of all consumers, yet ACC II aims to impose these news cars on all New Jerseyans. New Jersey and the federal government already offer interested consumers considerable financial incentives to entice them to purchase an electric vehicle. Those incentives help to reduce the purchase price, by providing cash on the hood or providing a tax rebate (*as in the case with the federal incentive program*).

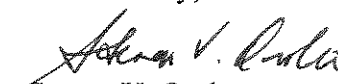
Despite those incentives, EVs still only account for less than 10% of all new vehicle sales in New Jersey. According to the NJDEP, as of June 2023, there were 123,551 registered electric vehicles in New Jersey, compared to 91,515 in June 2022. While the number of EV registrations grows, most registered vehicles are not EVs, when you consider that New Jersey has 2.5 million registered vehicles. That is a consumer choice. ACC II is wrong for New Jersey because it fails to recognize marketplace realities. EVs are clearly not for everyone, even with all the available incentives.

Our state already faces an affordability crisis. Removing the freedom of consumer choice and market competition will only drive-up costs and price out many working families and younger workers from the car market. It will also hurt car dealerships and the economic activity that they provide to our state. Accordingly, we steadfastly call for New Jersey to reject the plan to adopt California's ACC II rule.



F. Parker Space
Assemblyman

Sincerely,



Steven V. Oroho
Senator



Harold J. Wirths
Assemblyman