

MAINE STATE LEGISLATURE

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L.D. 2261

Date: 4/1/24

(Filing No. H-902)

ENVIRONMENT AND NATURAL RESOURCES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1451, L.D. 2261, "An Act Designating New Motor Vehicle Emissions Rules as Major Substantive Rules"

Amend the bill by striking out the title and substituting the following:

'An Act Regarding New Motor Vehicle Emissions Rules'

Amend the bill by striking out everything after the enacting clause and inserting the following:

Sec. 1. 38 MRSA §585-D, as amended by PL 2011, c. 120, §8, is further amended by enacting after the 2nd indented paragraph a new paragraph to read:

Rules adopted or amended by the board on or after August 1, 2024 pursuant to this section, including, but not limited to, rules to establish zero-emission requirements, are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 38 MRSA §585-D, as amended by PL 2011, c. 120, §8, is further amended by enacting at the end a new paragraph to read:

By January 1, 2025, and annually thereafter, the department shall submit a report to the joint standing committee of the Legislature having jurisdiction over environment and natural resources matters regarding the status of the regulatory program adopted by the California Air Resources Board for new motor vehicle emissions, known as the Advanced Clean Cars II program, and the adoption of that program by other states, as well as any updates regarding federal motor vehicle emissions control requirements. After reviewing the report, the committee may report out legislation relating to the report to the Legislature in the legislative session in which the report is submitted.

Sec. 3. Report on regulation of motor vehicle emissions. The Department of Environmental Protection, in developing the report required by the Maine Revised Statutes, Title 38, section 585-D and due January 1, 2025, shall collaborate with the Department of Transportation, the Governor's Energy Office, the Office of Policy Innovation and the Future and the Efficiency Maine Trust in evaluating relevant barriers to the adoption of zero-emission vehicle standards or requirements in the State. In addition to the

COMMITTEE AMENDMENT

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1 requirements set forth in Title 38, section 585-D, the report due January 1, 2025 must
2 include an analysis of zero-emission vehicle adoption rates in the State relative to national
3 trends and identification of barriers to achieving higher adoption rates, identification of
4 strategies to reduce those barriers with particular consideration given to barriers present in
5 rural communities and an evaluation of policies or market trends for overcoming those
6 barriers. Notwithstanding Title 38, section 585-D, the Department of Environmental
7 Protection shall submit this report by January 1, 2025 to the joint standing committees of
8 the Legislature having jurisdiction over environment and natural resources matters, energy
9 and utilities matters and transportation matters. After reviewing the report, each of the joint
10 standing committees may report out legislation relating to the report to the 132nd
11 Legislature in 2025.'

12 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
13 number to read consecutively.

14 **SUMMARY**

15 This amendment replaces the bill. It amends the law governing new motor vehicle
16 emission standards to provide that rules adopted or amended by the Board of
17 Environmental Protection on or after August 1, 2024 pursuant to that law, including, but
18 not limited to, rules to establish zero-emission requirements, are major substantive rules as
19 defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

20 It also requires that, beginning January 1, 2025, and annually thereafter, the
21 Department of Environmental Protection submit a report to the joint standing committee of
22 the Legislature having jurisdiction over environment and natural resources matters
23 regarding the status of the regulatory program adopted by the California Air Resources
24 Board for new motor vehicle emissions, known as the Advanced Clean Cars II program,
25 and the adoption of that program by other states, as well as any updates regarding federal
26 motor vehicle emissions control requirements. After reviewing the report, the committee
27 may report out legislation relating to the report.

28 For the first such report due January 1, 2025, the amendment requires the Department
29 of Environmental Protection to collaborate with the Department of Transportation, the
30 Governor's Energy Office, the Office of Policy Innovation and the Future and the
31 Efficiency Maine Trust in evaluating relevant barriers to the adoption of zero-emission
32 vehicle standards or requirements in the State. In addition to the statutory requirements for
33 that report, the report due January 1, 2025 must include an analysis of zero-emission vehicle
34 adoption rates in the State relative to national trends and identification of barriers to
35 achieving higher adoption rates, identification of strategies to reduce those barriers with
36 particular consideration given to barriers present in rural communities and an evaluation of
37 policies or market trends for overcoming those barriers. The Department of Environmental
38 Protection is required to submit this report by January 1, 2025 to the joint standing
39 committees of the Legislature having jurisdiction over environment and natural resources
40 matters, energy and utilities matters and transportation matters. After reviewing the report,
41 each of the joint standing committees may report out legislation relating to the report to the
42 132nd Legislature in 2025.

43 **FISCAL NOTE REQUIRED**
44 (See attached)

COMMITTEE AMENDMENT



131st MAINE LEGISLATURE

LD 2261

LR 3020(02)

An Act Designating New Motor Vehicle Emissions Rules as Major Substantive Rules

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-902)

Committee: Environment and Natural Resources

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

Any additional costs to the Department of Environmental Protection from the provisions of this bill are expected to be minor and can be absorbed within existing budgeted resources.