

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

SECOND REGULAR SESSION-2024

Legislative Document

No. 2261

H.P. 1451

House of Representatives, March 12, 2024

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

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative SOBOLESKI of Phillips.
Cosponsored by President JACKSON of Aroostook and
Representatives: CAMPBELL of Orrington, FAULKINGHAM of Winter Harbor, PAUL of
Winterport, SMITH of Palermo, Speaker TALBOT ROSS of Portland, Senators: BLACK of
Franklin, LYFORD of Penobscot, STEWART of Aroostook.

1 **Be it enacted by the People of the State of Maine as follows:**

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

4 Rules adopted by the department pursuant to this section, including, but not limited to,
5 rules to establish zero-emission requirements, are major substantive rules as defined in Title
6 5, chapter 375, subchapter 2-A.

7 **Sec. 2. Major substantive rulemaking; advanced clean cars II program and**
8 **advanced clean trucks program.** Proposed rules before the Board of Environmental
9 Protection on or after January 1, 2024 to establish motor vehicle emission standards for
10 new passenger cars, light-duty trucks and medium-duty motor vehicles by incorporating
11 the requirements of California's Advanced Clean Cars II regulation and to establish motor
12 vehicle emission standards for medium-duty and heavy-duty motor vehicles greater than
13 8,500 pounds by adopting California's Advanced Clean Trucks regulation, including rules
14 designated as Chapter 127-A: Advanced Clean Cars II Program and Chapter 18: Advanced
15 Clean Trucks Program, are major substantive rules.

16 **Sec. 3. Retroactivity.** This Act applies retroactively to May 22, 2023.

17 **SUMMARY**

18 This bill provides that rules adopted by the Department of Environmental Protection
19 regarding new motor vehicle emission standards, including rules to establish zero-emission
20 requirements, are major substantive rules. It also provides that proposed rules before the
21 Board of Environmental Protection on or after January 1, 2024 to incorporate the
22 requirements of California's Advanced Clean Cars II regulation and California's Advanced
23 Clean Trucks regulation are major substantive rules. The provisions in the bill are
24 retroactive to May 22, 2023.