

Truck and Engine Manufacturers Association

My name is Tim French, speaking on behalf of the Truck and Engine Manufacturers Association or EMA. EMA members include the world's leading manufacturers of heavy-duty on-highway vehicles and engines. The products that are regulated under the Omnibus Low-NOx regulations that CARB first proposed in June of 2020. EMA recognizes that the Washington legislature has adopted CARB'S motor vehicle program. Nonetheless, we urge the department to defer the actual implementation of the Omnibus regulations until such time as the relevant state legislative committees can reconsider this matter in light of the multiple developments that have occurred since CARB first proposed the Omnibus standards more than two years ago. Those important developments include the following; First, in the intervening two years, US EPA has developed its own nationwide Low-NOx regulatory program referred to as the Clean Trucks Program for heavy-duty vehicles and engines, the same ones covered under the Omnibus regulations. Importantly, EPA's regulations will be finalized within the next two months before the end of the year. By law, those regulations will establish the most stringent Low-NOx standards that can be achieved, taking costs and other important factors into account. Given that development, there is no sound justification for Washington, at this point, to implement CARB's California-specific program. Second, the emission data from the testing of prototype Low-NOx engines and after-treatment systems over the past two years has demonstrated that CARB's omnibus standards, specifically those that would take effect in model year 2027 are not feasible. The specific test data at issue includes results from testing engines at extended useful life periods as CARB would propose, testing engines at cold ambient conditions, testing engines over replays of multiple-use duty cycles, and testing engines using CARB's three bins, specifically bin three emissions protocol. Those results generated through comprehensive work conducted at the Southwest Research Institute have proven that CARB's 2027 standards are not feasible. For that reason, no manufacturers committed to try to build a product compliant with those standards. Third, if Washington moves forward to implement CARB standards, there will likely be no CARB-compliant heavy-duty trucks and engines for sale in the state starting in 2026. That type of product blackout will have serious ramifications, including under Washington's recently adopted ACT regulations. As you know, the mandated sale of ZEV trucks is dependent on this number of sales of conventionally fueled trucks. If you proceed to adopt the Omnibus regs, there won't be any sales of diesel trucks, so you won't have any corresponding sales of ZEV trucks. You'll undermine your own prior policy target. Finally, at the end of the day, the marginal difference between EPA's program, which will take effect in 2027 and the opt-in which would take effect in 2026 cannot justify this rule-making. In fact, there will be-- Yes. I was just going to say, the marginal difference between the EPA program and CARB's program cannot justify the proposal. We urge you to defer this action, reconvene or recon-consult with the legislative committees. Thanks very much. We'll be submitting written comments.