



March 30, 2026

Washington State Department Ecology
Air & Climate Division
300 Desmond Drive SE
Lacey, WA 98503

RE: Chapter 173-423 WAC - Clean Vehicle Program Rulemaking

Dear Washington State Department of Ecology,

We appreciate the Department of Ecology's continued work on updating Chapter 173-423 WAC – Clean Vehicle Program and welcome the opportunity to provide feedback on the current draft rule language. Our requests remain similar to those offered for previous language and aim to strengthen the proposed language to further solidify health protections and advance Washington's climate and public health goals.

Transportation remains the leading source of emissions in the United States and Washington has shown leadership in implementing vehicle emissions standards that provide more health protections than baseline standards. Yet despite the decades of clean air leadership and progress, Washingtonians continue to face air pollution challenges which are being accelerated by the impacts of climate change. According to our 2025 "State of the Air" report, the Seattle –Tacoma metro area ranked ninth worst in the nation for short-term particle pollution, King County was ranked the most polluted county in the metro for ozone, and King, Pierce, and Snohomish counties continue to receive failing grades for particle pollution. These pollutants trigger asthma attacks, worsen other respiratory symptoms and diseases, can lead to heart attacks and premature death.

Air pollution affects everyone, but it is particularly damaging to those near railyards, ports, warehouses, freeways, and other transportation hubs. We also know that air pollution is not the only concern. In Washington, the transportation sector is the largest source of climate-warming greenhouse gas emissions, accounting for about 40% of total statewide emissions. The *Clean Vehicle Program* is a critical part of the state's commitment to curbing both the health harm caused by cars, heavy-duty trucks, ferries, and other transportation sources as well as achieving climate goals.

Passenger vehicles account for about 15% of statewide gas emissions and fossil fuel vehicles emit 2-3.5 times more lifetime greenhouse gases than cleaner and zero emission vehicles. Reducing tailpipe emissions from passenger vehicles will lower smog forming pollutants and fine particles that worsen asthma and other respiratory illnesses. Cleaner air can lower negative health impacts of air pollution like lung disease, heart disease, and premature death, especially in areas most impacted by air pollution.

With the release of the updated draft rule language, we recognize that several elements included in the earlier version, particularly those related to the Advanced Clean Trucks (ACT) program, Omnibus standards, and the Utility Service Vehicle exemption have been removed. Although these elements are no longer included in this draft, the public health and air quality benefits they were intended to support remain important. For this reason, we reiterate our previous recommendations below and encourage Ecology to revisit these provisions when rulemaking resumes.

ACT - Interstate Pooling of Credits: We reiterate our support for strong implementation of ACT once rulemaking resumes. Trucks represent a small fraction of vehicles on the road but generate a major share of emissions that threaten health. ACT will address the harm of trucking pollution by increasing the sales of medium and heavy-duty zero-emission vehicles. This program will lower harmful diesel exhaust, reduce smog-forming NOx and soot pollution, and cut greenhouse gas emissions. Interstate Credit Pooling can provide compliance flexibility without changing the underlying sales requirements. To ensure flexibility does not undermine the positive health benefits of broad electrification, we support surplus-only transfers; transfers only among adopting states; transfers only to cover documented deficits; and a capped share of the deficit.

Adoption of Updated California ACT Amendments: When ACT rulemaking resumes, we encourage Ecology to align with California's ACT amendments. Alignment can reduce administrative burden and help maintain a consistent compliance framework. We reiterate our concerns about the transfer of non-tractor credits to heavier weight classes which generate significant pollution and encourage the department to review options for maintaining progress in Class 7-8 ZE tractor sales for compliance with the ACT.

California Emergency Regulatory Updates: California has paused its emergency regulatory updates associated with ACT and Omnibus. When California resumes this work, Washington should adopt corresponding updates to maintain consistency and ensure continued attention to the need for cleaner vehicles to protect health in Washington.

Continuation & Expansion of Fleet Reporting: We appreciate Ecology's expanded elements of the fleet reporting requirements in the current draft. Lowering reporting thresholds and improved data requirements strengthens this part of the rule. We encourage Ecology to continue strengthening fleet reporting. Collecting additional years of data and expanding reporting applicability for light-duty vehicle fleets will identify areas where excess pollution is occurring and provide critical insight into vehicle operation. Improved data will inform policy design and infrastructure planning for clean transportation, ensuring state resources are spent effectively.

Expansion of Exemptions for Authorized Emergency Vehicles: We appreciate Ecology's decision to remove the exemption for authorized emergency vehicles from emission standards. However, we are concerned that these vehicles are exempt from fleet reporting requirements. Washington must continue to lead the way with fleet standards that align with clean air and climate standards, and fleet reporting exemptions for authorized emergency vehicles could slow air quality improvements.

We appreciate the opportunity to provide feedback on the current language draft. We believe the suggestions above will strengthen the Clean Vehicles Program by preserving emission benefits and supporting equitable public health outcomes. By maintaining strong vehicle standards, including zero emission requirements, and improved heavy-duty regulations, Washington can improve air quality, protect public health, and deliver long term environmental

and economic benefits for all residents. Thank you for considering our comments and for your ongoing work to improve air quality for all Washingtonians.

Sincerely,

A handwritten signature in blue ink that reads "Carrie Nyssen". The signature is written in a cursive, flowing style.

Carrie Nyssen
Senior Director, Advocacy