



State of New Mexico
House of Representatives

STATE CAPITOL

Santa Fe

August 17, 2023

Ms. Phoebe K. Suina
Chair
Environmental Improvement Board
New Mexico Environment Department
1190 Saint Francis Drive, Suite S2101
Santa Fe, New Mexico 87505

Dear Madam Chair:

As members of the New Mexico House of Representatives, we are writing to express our strong opposition to the proposed rule [EIB 22-56 (R)] which requires automakers to send forty-three percent of new cars and trucks to be sold in New Mexico must meet zero-emission clean vehicle standards by model year 2027. The proposed rule further requires this delivery percentage of zero-emission vehicles to ultimately increase to eighty-two percent by model year 2032. These new delivery requirements are a major departure from the current standard which requires only seven percent of 2026 model year vehicles sold in New Mexico to be electric. Therefore, we find no justification for increasing the delivery percentage of zero-emission vehicles until there is data available as to the impact the current seven percent requirement has on New Mexico's residents. We urge the Environment Improvement Board (EIB) to reject this new proposed rule as it is premature and excessive.

Further, as elected representatives of the people, we do not believe an unelected, governor-appointed board should be making any determination as to how many zero-emission vehicles are sent to our state due to the significant negative impact this proposed rule will have on New Mexico's new vehicle purchasers. Rather, a decision of this magnitude with its related financial and non-financial burdens on individuals and families should be fully debated and considered by the state legislature. While the rule making process is the appropriate mechanism to determine a wide range of implementation details that any legislatively approved statute does not typically address, the rule making process should not be utilized as a mechanism to side-step the authority of the state legislature in setting important environmental and economic policies that will impact every New Mexican. We question whether the EIB truly has the statutory authority to adopt such a broad rule.

Second, we oppose this proposed rule due to a number of legitimate concerns regarding the overall impact this new mandate will have in a rural state which requires New Mexicans to travel long distances to go to work and buy necessary goods. The inappropriate nature of electric vehicles (EVs) in our state is evident by the fact that currently less than one percent of the cars on New Mexico's highways and streets are EVs.

We believe this lack of acceptance of EVs by New Mexicans is due to two important shortcomings of these vehicles: 1) high cost and 2) limited range. According to various experts, the average cost of an EV is twenty-three percent more expensive than a gasoline-powered car because the car itself and its parts cost more to repair and replace. Accounting for all factors, an EV will cost New Mexico residents \$71,770 while a gasoline-powered car will cost \$58,664. Contrary to popular belief, this \$13,000 cost differential will not be offset during an average of six years of owning an EV versus a gasoline car.

Further, while EV manufacturers typically claim their vehicles have a range between 250 - 500 miles, recent reports from both Reuters and Forbes indicate the advertised range of EVs is often way off. In fact, recent research has shown that the mileage shortfalls were from 12.5 percent – 20 percent from those claimed by the manufacturers. It should also be pointed out that driving long distances and cold temperatures also result in significant reductions in promised mileage totals.

With a lack of electric charging stations and limited electricity grid capacity in many areas, such a limited range vehicle is a deal breaker for most rural residents. This is especially true if the vehicle owner must regularly travel between Santa Fe and Las Cruces which is a one-way trip of 285 miles or if they must travel from Albuquerque to Carlsbad which is a one-way trip of 282 miles. It should also be noted a one-way trip from Farmington to Hobbs is 498 miles and a one-way trip from Clayton to Silver City is 506 miles.

Third, this proposed rule creates a needless overreach and unnecessary intrusion by state government into the new car and truck marketplace. These new mandates will make it nearly impossible for many New Mexican individuals and families to be able to purchase an affordable new vehicle due to the excessive price of EVs and the reduced availability of gasoline-powered vehicles. Studies have shown that most of the people who buy electric vehicles have annual incomes of more than \$150,000. Yet, the average household income in New Mexico is about \$75,000 per year. Plus, this proposed rule will likely result in many New Mexico residents going to one of our neighboring states to purchase a new vehicle, thus, causing additional harm to our state's economy and business community.

Fourth, in addition to all of the negative economic and non-economic disruptions this proposed rule will cause for most New Mexicans, our opposition is also based on the fact that proponents have failed to provide any scientific evidence as to what positive impact this new government mandate will have on the planet's climate. Granted, there will be some measurable reduction in carbon dioxide if this proposed rule is implemented, but proponents should be required to justify why a state with only 2.1 million people should adopt unproven "solutions" to climate change, while also imposing the aforementioned negative impacts on every New Mexican resident. It appears the only rationale for implementing such a government-imposed limitation on gasoline-powered vehicles is because California and other states have acted similarly.

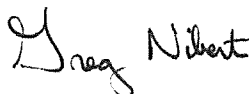
Again, we strongly urge the EIB to reject this proposed rule as it imposes a dramatic increase in state government's authority over New Mexico residents' and businesses' ability to decide for themselves what type of motor vehicle best fits their budget and needs. We believe the correct policy is to let the vehicle buying public, not an unelected government entity, determine whether they should purchase a more expensive and costlier to maintain EV or continue to buy a gasoline-powered vehicle.

Thank you for your consideration of our views.

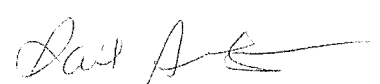
Respectfully yours,



T. Ryan Lane
House Republican Leader



Greg Nibert
House Republican Whip



Gail Armstrong
Caucus Chair