



February 16, 2026

Submitted via NMED's Public Commenting Portal and Email

James Kenney
Cabinet Secretary
New Mexico Environment Department (NMED)
1190 St. Francis Drive, Suite N4050
Santa Fe, NM 87505

RE: RV Industry Association Preliminary Comments on EIB 25-61 (R) - Per- and Poly-Fluoroalkyl Substances Act

Dear Secretary Kenney:

The RV Industry Association (RVIA) is the national trade association representing over 470 manufacturers and component and aftermarket suppliers who together build more than 98 percent of all RVs produced in the United States—including motorhomes, travel trailers, fifth-wheel travel trailers, folding camping trailers, park model RVs, and truck campers. The RV industry is an American-made industry that contributes more than \$140 billion annually to the national economy and supports 680,000 jobs paying more than \$48 billion in wages¹. Specifically in New Mexico, the RV industry contributes \$535 million to state and local economies and supports 3,835 jobs with 515 businesses providing products and services to consumers who utilize RVs for travel and recreation.

Under the current proposal, RVs are classified as Motor Vehicles as defined by the U.S. DOT under 49 U.S. Code, Section 30102(a)(10).

RVIA agrees with the current proposal which exempts motor vehicles, including RVs, from nearly all the rules' requirements. However, the RV Industry Association is concerned that certain exclusions from this exemption were added. Specifically, the motor vehicle exemption provided in section 20.13.2.10 (G) excludes "any textile article" or "refrigerant." Further, the exemption does not cover the labeling requirements found at 20.13.2.13.

¹ RVIA is the unifying force for promoting safety and professionalism within the RV industry, and works with policymakers, government agencies, as well as recognized national standards-setting bodies, to promote and protect the RV industry.

While classified as motor vehicles, RVs differ in major ways in how they are used. Consumers use RVs for camping and recreation, not as their primary mode of transportation. Most RVers take short trips, between 4-7 hours away from home, using their RV to reach and leave a camping destination. The typical RV is used for about 30 days per year and driven less than 5,000 miles per year. Likewise, the amount of time people spend in their RV is limited, certainly as compared to a primary residence or a place of business.

As a motor vehicle, RVs must conform with certain Federal standards to ensure the safety of consumers during operation. For internal fabrics and textiles, RVs are subject to Federal Motor Vehicle Safety Standard (FMVSS) 302. FMVSS 302 is a U.S. DOT NHTSA regulation specifying flammability resistance for materials used in motor vehicle cabins. It mandates that interior components such as seats, seat belts, headliners, armrests, trim panels, floor coverings, and engine compartment covers must not burn at a rate exceeding 4 inches (102 mm) per minute to minimize injury from fire.

As far as refrigeration equipment is concerned, RVs use various types of refrigerants for air conditioning units and refrigerators. The most prevalent refrigerants used in RV products are:

- R600a (isobutane), which is used in refrigerators.
- R32, which is used in some RV ACs.
- R454B, which is used in some RV ACs.
- R1234yf, which is used in the air conditioning system associated with the drive train of motorhomes (along with all modern motor vehicles in the US).

All of these refrigerants are SNAP approved for these end uses by the U.S. EPA under the significant new alternatives policy program, 40 CFR, Part 82, Subpart G. As such, RVIA believes refrigerants used by the RV industry are covered by the rules exclusion clause in section 20.13.2.10 (D).

In summary, due to the unique nature of RVs and how they are used under limited circumstances, and with Federal Standards in place that establish important safety and environmental performance for internal components and refrigerants, the RVIA recommends that RVs be categorically excluded from the New Mexico law in their entirety. To do this, the RVIA recommends the following edits in the proposed rule:

20.13.2.10 EXEMPTIONS: The following are exempt from the requirements in Sections 20.13.2.11, 2720.13.2.12, and 20.13.2.14 (limited to medical devices outlined in 20.13.2.10.C) of this rule:

G. a motor vehicle or motor vehicle equipment regulated under a federal motor vehicle safety standard, as defined in 49 United States Code, Section 30102(a)(10), ~~except that the exemption under this paragraph does not apply to any textile article or refrigerant that is included in or as a component part of such products;~~

20.13.2.13 LABELING:

B. Labeling exemptions. The labeling requirements of this rule do not apply to:

- (1) used products offered for sale or resale;
- (2) products for which labeling requirements are preempted pursuant to the Federal

Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. Section 136v, or for which labeling requirements currently exist at 40 C.F.R. 156.10;

- (3) veterinary products, including veterinary parasiticides and veterinary biologics, and the packaging of veterinary products regulated by the United States food and drug administration, the United States department of agriculture, or the United States environmental protection agency; and

- (4) medical devices, drugs, and the packaging of medical devices and drugs regulated by the United States food and drug administration.

- (5) motor vehicles regulated by the Federal Motor Vehicle Safety Standards, FMVSS 302 (49 CFR 571.302) - Flammability of Interior Materials.

Thank you for this opportunity to provide input on this important rulemaking. If you have questions or need additional information, please contact RVIA's Senior Manager of Regulatory Affairs, Bill Erny at: berny@rvia.org.

Respectfully submitted,



Jason Rano

Vice President, Government Affairs

RV Industry Association