

October 3, 2025

New Mexico Environmental Improvement Board
Harold Runnels Building
1190 St. Francis Drive
Suite 2102
Santa Fe, NM 87505

SUBMITTED ELECTRONICALLY AT: <https://nmed.commentinput.com/?id=Q7EpmKPeC>

RE: EIB 25-23: In the Matter of Proposed Adoption of 20.2.92 NMAC—Clean Transportation Fuel Program

Thank you for the opportunity to submit comments in proceeding EIB 25-23 regarding the proposed adoption of 20.2.92 NMAC to establish a CTFP in New Mexico. We applaud the leadership of the New Mexico Environment Department (NMED) in developing the state's proposed new policy.

The Electrification Coalition (EC) is a nonpartisan, nonprofit organization dedicated to accelerating the widespread adoption of electric vehicles (EVs) across the United States. Our primary goals are to advance policies and initiatives that reduce the economic, public health, and national security risks caused by an overreliance on foreign sources in the transportation sector, while supporting and uplifting American jobs, automakers, and their supply chains.

The EC strongly supports the proposed adoption of the Clean Transportation Fuel Program (CTFP). This clean fuel program will create a self-sufficient revenue stream to support transportation electrification, allowing the state to maximize the opportunities, fuel savings, and energy security benefits EVs provide. Further, the program will reduce emissions, provide significant economic benefits, and position New Mexico as a leader in EV market development.

Unfortunately, however, the proposed design of the residential credit generation structure will limit the ability for many of the EV-only manufacturers to participate, reducing the overall benefits of the program. **Therefore, the EC urges the Board to remove the requirement that automakers administer sales through a dealer licensed by the Taxation and Revenue Department in order to qualify for residential credit generation.**

As currently defined, the proposed CTFP requires that each vehicle manufacturer shall "administer sales through a dealer licensed" by the state, to be eligible to earn base credits. However, under current New Mexico law, some direct-to-consumer manufacturers are prohibited from securing dealer licenses in the state, and thus leaving them ineligible to generate residential credits. This unfairly prohibits those companies from participating.

The current proposed language prohibiting some EV manufacturers from eligibility represents a missed opportunity for CTFP. We recommend that all EV manufacturers be eligible to claim residential charging credits in

New Mexico, regardless of how the vehicle is sold. Expanding the eligibility of the residential charging credit generation to allow EV-only manufacturers that have chosen to sell direct to the consumer ensures that all EV manufacturers have the opportunity to participate in the CTFP as credit-generating entities and would maximize the benefits of the program. In doing so, New Mexico would demonstrate considerable national leadership in the design of the CTFP, and support for innovation of new entrants to the auto sector that are producing EVs.

Automakers have an important role in earning residential credits due to the superior accuracy and coverage of their charging data, the incentive it provides to manufacturers to increase EV sales, and the unique position our industry is in to meaningfully reinvest credit revenue. With this provision, the Environmental Impact Board is poised to take a big step forward in how clean fuels policies are designed for maximum electrification benefit.

For a technology-neutral policy, the current language defining eligible manufacturers for residential charging credits in 20.2.92.043(C)(1)(b)(iii) raises an obvious fairness issue. The regulation as proposed would bar certain manufacturers from participation based not on any measure of carbon intensity (CI) and their effectiveness at improving the CI of transportation fuels, but rather as a function of an entirely distinct business decision regarding how to sell vehicles to the public.

Thank you for the opportunity to comment on the proposed CTFP regulation. We strongly support a CTFP in New Mexico and appreciate the opportunity to provide comments.

Please let us know if you have any questions.

Sincerely,



Anne Blair
Vice President, Policy & Freight