Clean Energy

The Honorable Lauren Sanchez
Chair, California Air Resources Board
1001 I Street
Sacramento, CA 95812

November 5, 2025

Re: Proposed Amendments to the On-Road Heavy-Duty Engine and Vehicle Omnibus Regulation

Dear Chair Sanchez:

On behalf of Clean Energy, we would like to comment on the November 20th Board agenda item concerning the proposed action to amend the Omnibus Regulation. We urge the California Air Resources Board to take actions to expedite the adoption of low NOx heavy-duty trucks operated on renewable fuels to significantly reduce near- and intermediate-term NOx emissions.

Over the past decade, California's elected leadership and CARB envisioned a series of regulations that would both significantly clean up and ultimately transition the vehicles on California's roads toward a zero-emission future. However, since the adoption of these regulations, a series of federal actions, litigation, and unforeseen compliance strategies adopted by the manufacturers have made it challenging to implement these regulations that largely address heavy-duty trucks.

While heavy-duty trucks make up about 2% of the vehicles on California's roads, they emit roughly 35% of transportation-related NOx and a quarter of on-road greenhouse gas emissions. Meanwhile, 9 California cities are amongst the country's top 24 most polluted cities for ozone and 7 California cities are amongst the country's top 24 most polluted for particulate matter according to the American Lung Association.[1] Additionally, numerous air basins are out of compliance with the federal Clean Air Act, and two air basins – the South Coast and San Juaquin Valley – are in extreme non-attainment for both NOx and PM emissions.

Clearly, California must successfully address heavy-duty truck pollution to protect the public health of Californians.

California Truck Sales are Significantly Down

Truck engine manufacturers, who are held strictly liable under the Advanced Clean Trucks Regulation (ACT) to sell a set percentage of ZEVs each year (pending litigation), don't appear to have any

[1] lung.org/research/sota/city-rankings/most-polluted-cities

obligation to comply now. Hence, the reason why several lawsuits have been filed between CARB and these parties.

Therefore, very few trucks certified to CARB's Heavy-Duty Omnibus standard are being sold into California, especially for the class 7-8 tractor group, while an increased volume being obtained are used diesels, with the higher likelihood being that these are 200mg diesels. This situation presents significant regulatory uncertainty, and a lack of innovative policy signals is resulting in few purchases of an Omnibus compliant truck. This is not the outcome that CARB envisioned for either the ACT or the Heavy-Duty Omnibus regulations.

Heavy-Duty Omnibus Compliant Trucks Deliver Significant Emissions Reductions

Due to CARB's leadership, the cleanest available ICE trucks on the road today are those that are certified to the Heavy-Duty Omnibus 50mg standard for NOx, especially if they also operate on renewable fuels like RNG. According to Energy Vision's March 2025 report, *A Path to a Healthier America: Ditching Older Diesel Trucks*[2], RNG trucks deliver 88% of the benefits of electric vehicles. Further, a more recent report[3] by UC Riverside's Center for Environmental Research and Technology goes even further in stating the benefits of a complete transition to zero emissions after 2027 would only provide an additional 5.1% emissions reduction. It is for these reasons and more that we believe CARB should further encourage the adoption of this technology while ZEV platforms and supporting infrastructure develop over time.

Advanced Technology Partial Zero Emission Vehicle Precedent

In the earlier stages of the light-duty passenger ZEV regulation, natural gas vehicles enjoyed an Advanced Technology Partial Zero Emission Vehicle (ATPZEV) credit as they helped to advance Fuel Cell Electric Vehicles (FCEV) fuel storage and delivery. We still believe this is the case for heavy-duty truck operations. Further, the successful distribution of RNG in the transportation space for Omnibus-compliant trucks will help develop renewable hydrogen fueling infrastructure as California makes its transition over time toward ZEVs. We therefore strongly urge the Governing Board to include low NOx trucks running on RNG to be included in the Omnibus regulation's "NZEV" definition.

The Need for Affordability Supports A Broader Heavy-Duty Truck Policy

While California's largest private fleets continue to show leadership by investing in a whole range of clean vehicle strategies, smaller fleets are more challenged economically to fully participate in ZEV strategies. By making it easier to put a small fleet driver into a cleaner option, the surrounding community benefits for which the fleet is based, and so do the drivers. This is precisely why CARB needs to send strong policy signals that are inclusive of Heavy-Duty Truck Omnibus-compliant trucks that are 50mg or less for NOx. As Governor Newsom highlighted at a recent climate submit with President Bill Clinton, "We need to embrace the genius of 'and', not the tyranny of 'or.'"

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[2] https://energy-vision.org/pdf/ditching-diesel.pdf

[3] https://www.sciencedirect.com/science/article/abs/pii/S0048969725014226?via%3Dihub

NOx Increase of 175 Tons Per Day by 2037

At the October Board meeting, staff presented that federal Congressional Review Act actions blocking ACT, Advanced Clean Cars II, Omnibus, and Clean Truck Check will increase NOx emissions by 175 tons per day (a 40% increase in NOx emissions) by 2037, resulting in greater than 14,500 cardiopulmonary deaths, over 5,000 hospitalizations, more than 6,700 emergency room visits, and increased cancer risk in West Oakland, South Central Fresno, and East Los Angeles.

They also highlighted the potential consequences if California fails to demonstrate transportation conformity and SIP requirements (i.e., federal highway funds withheld and a possible FIP implementation). This increase in NOx emissions cannot be addressed by regional air districts alone. In fact, regional air districts often bring to their boards proposed regulations that reduce emissions in stationary sources by .5 to 3 tons per day. We clearly need a mobile source strategy that promotes both ZEV and clean combustion trucks to reach attainment.

The Solutions

All of these problems demonstrate that a comprehensive strategy to address mobile source emissions beyond heavy-duty ZEV adoption is required. It is more critical than ever for CARB and the clean tech industry to work collaboratively to find innovative ways to address mobile source emissions impacting our disadvantaged communities. Such a collaborative effort would not only acknowledge the loss of the ACT and ACF in promoting heavy-duty ZEV adoption in the near-term, but would also value the Heavy-Duty Truck Omnibus regulation that would promote the cleanest internal combustion engine technologies.

While we appreciate the importance of the June Executive Order asking CARB to double down on its drive to promote ZEVs in the light-, medium-, and heavy-duty vehicle sectors, it is of equal, if not of greater importance, to make sure we recapture the benefits of Omnibus.

1. **Establish a 35mg Optional Low NOx standard and re-establish the 20mg Optional Low NOx Standard.** We urge CARB to send a strong policy signal that encourages manufacturers to produce cleaner internal combustion engines.

   One way to do this would be to establish an Optional Low NOx standard at 35mg and re-establish an optional low NOx standard at 20mg NOx. We know CNG low NOx engines have the potential to meet such optional standards and fleets may want to purchase these engines if CARB provides them with a greater level of certainty for their purchase. Setting these Optional Low NOx standards is critical because the United States EPA is under heavy pressure by a set of stakeholders that want the agency to further delay the federal NOx standard set at 35mg from a 2027 to a 2031 start date.

2. **Establish a strong policy signal that provides fleets the certainty they need to buy the cleanest internal combustion engines.** Fleets are highly hesitant to purchase cleaner heavy-duty trucks that come with an incremental cost because they fear losing their useful life protections of that vehicle in the future, as experienced in the now-repealed ACF.

   While the California Code of Regulations no longer requires such an optional Milestone Option, the specter of this experience remains a barrier when it's easier for fleets to purchase a used 200mg diesel truck or a new non-compliant Omnibus truck set at 200mg NOx. **We urge CARB to issue a public statement or FAQ that clearly states trucks which meet or exceed the Omnibus' 50mg standard through at least 2029 will maintain their full useful life protections as defined in SB 1, regardless of any future regulatory actions made by CARB.**

Sincerely,

Ryan Kenny
Policy Director, Western U.S.
Clean Energy