

Memorandum of Support



S.8765-A (Metzger)

Title: An act directing the commissioner of the department of environmental conservation to promulgate rules and regulations establishing targets for the sales of zero emissions medium and heavy duty vehicles in the state

Statement of Support: New York is in the process of implementing the country's most ambitious climate change laws, designed to achieve economy-wide greenhouse gas emissions reductions and ensure full decarbonization state-wide by 2050. The transportation sector, representing the largest source of NY's greenhouse gases, accounts for 36% of the state's emissions - largely due to fossil-fuel powered cars and trucks. Efforts to scale down transportation emissions in New York are complicated because federal law preempts state regulation of vehicle fuel efficiency standards, with exception of California. These efforts have been further hampered by federal regulations enacted by this administration that withdraw California's waiver of preemption for its greenhouse gas regulations for light duty vehicles and ZEV mandate.

California, whose regulations predate the passage of preemption rules under the Clean Air Act, is the only state permitted to issue emissions standards under the law, subject to a waiver from the United States Environmental Protection Agency. Other states may choose to follow the standards set by the California Air Resources Board (CARB) or the federal vehicle emission standards, but may not set their own. Since 2014, New York has administered a Zero Emissions Vehicle (ZEV) program, which sets standards for the sales of zero emissions passenger and light-duty vehicles in the state. Through this program, the NY Department of Environmental Conservation adopted the "ZEV mandate" for light-duty vehicles established by CARB and has been part of a multi-state plan to increase the number of zero emissions vehicles in the United States. NY's participation in the light duty ZEV mandate has helped drive adoption of zero emission passenger vehicles in NY, currently exceeding 50,000 registered today, with the goal of 850,000 by 2025. California, New York, and other states, along with Sierra Club and its allies, are fighting the federal rollback of California's waiver of light-duty vehicle regulations in court. This program has been a flagship of efforts to address the state's largest source of climate altering emissions, the transportation sector, and it's time to expand it to include medium and heavy duty trucks as well. New York's goal of achieving a net-zero emission economy by 2050 will require electrification of our vehicle fleet and the widespread adoption of electric vehicles. If New York does not rapidly transition away from the outdated and harmful gas-powered internal combustion engine, it will not be able to achieve these critical climate goals.

The Sierra Club urges your support of S8765A, legislation that directs the commissioner of the Department of Environmental Conservation to promulgate regulations that adopt California's targets for the sales of zero emissions medium and heavy duty vehicles. Such regulations shall contain the same sales targets, fleet percentages, and credit calculations for zero emissions medium and heavy duty vehicles as regulations recently adopted by CARB. In the most practical sense, this bill will send a powerful market signal that New York is at the forefront of the transition to clean air and zero emission transportation and there will be no lags in implementation of the country's strongest standards. This bill further complements the state's commitment to collaborate with 14 other states through the recent Northeastern States for Coordinated Air Use Management (NESCAUM) Memorandum of Understanding, that establishes the goal that by 2030, 30 percent of all new Medium and Heavy Duty vehicle sales will be zero emission on the path to 100 percent by 2050. Ultimately, swift New York implementation of new CARB rules will also reduce the harmful health impacts that disproportionately burden communities of color and low income communities from dirty diesel and gasoline engines.

There has never been a more important time for New York to demonstrate leadership in cleaning up our vehicle emissions. Research has shown that exposure to pollution like PM2.5, a byproduct of burning fossil-based fuels from trucks and other vehicles, can be tied to increased illness and death, particularly from lung and heart diseases, and increased vulnerability to the COVID-19 virus. Exposure to PM2.5 and other pollutants disproportionately impacts Latino, Asian-American, and Black residents as compared to white New Yorkers, and residents of NY's most polluted areas breathe air with PM2.5 concentrations 3.7 times higher than the regional average. In New York City, exposure to vehicular air pollution contributes an estimated 320 premature deaths annually, with truck and bus pollution accountable for more than half of those deaths¹. The toll from the coronavirus pandemic has highlighted the unacceptable toll of burning gas and diesel on New York's most vulnerable communities.

Transitioning to zero emission medium and heavy duty vehicles is critical for New York's ability to address the disastrous impacts of climate change, to improve the health and resiliency of New Yorkers, and to sever our ties with the planet and people-killing fossil fuel industry. We urge your support for this bill.

¹ Union of Concerned Scientists (2019). "Inequitable exposure to vehicle pollution in the Northeast and Mid-Atlantic," www.ucsusa.org/northeast-air-quality-equity