



# Department of Environmental Protection

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Massachusetts law requires the Commonwealth to adopt California motor vehicle emissions standards as long as those standards achieve, in the aggregate, greater emissions reductions than federal standards. Massachusetts first adopted the California Low Emission Vehicle regulations in 1991 and has amended it many times to remain identical to the California program. This has resulted in a cleaner vehicle fleet with more than 125,000 electric vehicles (EVs) on the road in Massachusetts, and less poor air quality days. In 2021, Massachusetts adopted emissions standards for Model Years 2025 and later medium- and heavy-duty vehicles and engines.

## Advanced Clean Trucks

One of the regulations is California's Advanced Clean Truck (ACT) requirements, which include zero emission vehicle (ZEV) sales percentage requirements starting in Model Year 2025 and ramping up through Model Year 2035, accelerating the market for medium- and heavy-duty ZEVs. In addition to reducing pollutant emissions, the regulations will lead to reduced fuel consumption, fuel costs, and maintenance due to more fuel-efficient engines and vehicles, and next-generation zero-emission trucks.

There are multiple pathways to comply with this regulation. Manufacturers are able to purchase ZEV credits from other manufacturers and can carry a ZEV sales deficit forward one Model Year, providing more time to comply. These flexibilities were included based on direct consultation with the industry during regulation development.

Another way to comply--and a pathway that some manufacturers are choosing--is to limit sales of diesel trucks to dealers altogether, reducing the number of electric trucks that the manufacturers will need to sell. This strategy poses difficulties for our cities and towns, as well as our private sector partners like truck dealers and utilities. We have been working with these entities to clarify that they are not required to purchase an electric truck if it does not fit their needs right now or if there is not one available.

As a result of this manufacturer sales practice, several municipalities have told MassDEP that a significant number of anticipated snow removal equipment purchases will not be completed this year, adversely impacting these municipalities' ability to respond to snow emergencies.

**MassDEP will exercise limited enforcement discretion for purchases by municipalities and state agencies of vehicles used for snowplowing and snow removal purposes (e.g., dump trucks, salt and sand spreaders, front end loaders) as well as street sweepers, for Model Years 2025 and 2026.** New York State has also exercised limited enforcement discretion under ACT for Model Years 2025 and 2026 for snowplows and street sweepers purchased by the state and municipalities in response to concerns about not being able to purchase these vehicles. It should be noted that the California Air Resources Board (CARB) is meeting on October 24-25, 2024 and is considering amendments to ACT to address vehicle availability and potential additional flexibility for manufacturers to comply with the regulation.

### **Heavy-duty Omnibus**

Massachusetts has also adopted California's Heavy-duty Omnibus regulation. This rule is designed to significantly reduce smog-forming nitrogen oxides (NOx) from conventional heavy-duty engines. California required compliance starting with Model Year 2024, while Massachusetts and Oregon required compliance starting with Model Year 2025, with other states requiring compliance in later years. The standards become more stringent with 2027 and subsequent Model Year engines.

Due to a continued shortage of new engines that qualify under the stricter emissions standards and manufacturer decisions to limit the supply of diesel trucks, and because the EPA has not yet provided the required waiver to California to make these regulations enforceable, **Massachusetts will be setting a revised Heavy-duty Omnibus effective for Model Year 2026.** Oregon has also decided to have Heavy Duty Omnibus effective for Model Year 2026 vehicles.

### **In conclusion**

These added flexibilities, coupled with those negotiated with truck engine manufacturers during the development of these regulations, provide significant ability for the industry to make vehicles available that fit the needs of purchasers. As a state we are continuing to push forward with building out a strong vehicle charging network and providing financial assistance for electric vehicles of all types.

Sincerely,



Bonnie Heiple  
Commissioner  
Massachusetts Department of Environmental Protection