



October 7, 2024

Her Excellency Maura Healey, Governor
Office of the Governor
State House, Room 280
Boston, Massachusetts 02133

Ms. Bonnie Heiple, Commissioner
Massachusetts Department of Environmental Protection
100 Cambridge Street; Suite 900
Boston, Massachusetts 02114

Dear Governor Healey and Commissioner Heiple:

We write to request a delay in the implementation of the Advanced Clean Trucks (ACT) and Heavy-Duty Omnibus (HDO) rules scheduled to go into effect on January 1, 2025. Due to the current limitations in technology, infrastructure and vehicle availability, enforcing these rules at this time will harm the Commonwealth's emission reduction efforts while significantly impacting the wide range of industries we represent.

Our organizations recognize the importance of reducing emissions in the transportation sector. For a significant number of years, the industries we represent have taken measures to reduce emissions in our business practices, facilities and truck fleets – whether through the construction of energy efficient buildings or the use of clean diesel and alternative fuel vehicles. To this last point, medium and heavy-duty trucks are essential for numerous operations, including but not limited to food distribution, manufacturing, construction, fuel delivery, water treatment operations, waste collection,

towing, landscaping, school transportation and snow removal, that our organizations' members provide every day.

Unfortunately, the Commonwealth's upcoming implementation of the Advanced Clean Truck (ACT) and the Heavy-Duty Omnibus (HDO) rules will adversely impact our ability to acquire sorely needed medium and heavy trucks. While these state regulations stipulate an increasing percentage of zero-emission vehicle (ZEV) truck sales starting in Model Year 2025 and stronger NOx standards effective January 1, 2025, the necessary technology and infrastructure are not yet in place to support these well-intentioned initiatives. Notwithstanding the significant shortage of the electric infrastructure necessary to charge them, medium and heavy-duty electric trucks remain prohibitively expensive even with their reduced capacity. Further, assuming enough electric trucks were somehow sold to meet the ACT standard, the fact remains that there exist few, if any, HDO compliant diesel trucks to purchase now or in the foreseeable future. In short, these regulations are simply ahead of technology advancements, the necessary infrastructure to support it and manufacturing capacity.

Accordingly, we respectfully request your support for delaying the implementation of the ACT and HDO rules until January 2027. At that time, the United State Environmental Protection Agency (EPA) and California Air Resources Board (CARB) will align on standards that will create uniformity throughout the nation and, as importantly, New England. Aligning the implementation date with the EPA's and CARB's shared emission standards set for 2027 will allow additional time for continued technological advancement and infrastructure development.

Without the requested delay, the Commonwealth, its municipalities and the industries we represent risk suffering unintended negative consequences, including reduced tax revenues and the increased retention of older, more polluting trucks. In looking at California's experience with these rules, it is clear that there has been a sharp decline in truck purchases and revenue impacts from lost sales, excise and payroll taxes. We cannot let this happen in Massachusetts.

Therefore, to effectively advance our emission reduction goals and prevent potential harm to our economy and infrastructure, we respectfully request a delay in the ACT and HDO rule implementation until January 1, 2027. We appreciate your attention to this important issue and look forward to further discussions on how to achieve our shared environmental and economic objectives.

Sincerely,

Associated Industries of Massachusetts
Associated Subcontractors of Massachusetts
American Trucking Association
Beer Distributors of Massachusetts
Cape Cod Landscape Association
Greater Boston Chamber of Commerce

Green Industry Alliance of Massachusetts
Massachusetts Energy Marketers Association
Massachusetts Forest Alliance
Maine Motor Transport Association
Massachusetts Concrete & Aggregate Producers Association
Massachusetts Association of Landscape Professionals
Massachusetts State Automobile Dealers Association
Massachusetts Chemistry & Technology Alliance, Inc.
Massachusetts Farm Bureau
Massachusetts Food Association
Massachusetts Retail Lumber Dealers Association
Motor Transport Association of Connecticut
Massachusetts Water Works Association
National Federation of Independent Business
New England Bus Association
New England Convenience Store & Energy Marketers Association
New England Sports Field Management Association
Propane Gas Association of New England
Retailers Association of Massachusetts
Rhode Island Trucking Association
School Transportation Association of Massachusetts
Statewide Towing Association, Inc.
Trucking Association of Massachusetts
Trucking Association of New York
Truck Rental and Leasing Association
Utility Contractors Association of New England, Inc.