



Facts About ...

Amendments to COMAR 26.11.43

Advanced Clean Trucks Program

7/12/24

Purpose

The purpose of this proposed action is to extend the lead-time manufacturers are eligible to earn credits under this program by an additional year. The amendment appears in Regulation .04 titled Applicability and Exemptions under COMAR 26.11.43 Advanced Clean Trucks Program.

Submission to EPA as Revision to Maryland's State Implementation Plan (SIP)

The Advanced Clean Trucks Program will be submitted to the U.S. Environmental Protection Agency (EPA) for approval as part of Maryland's State Implementation Plan (SIP).

Background

The Clean Air Act established the framework for controlling harmful emissions from mobile sources. At the time, California had already established its own emission standards for mobile sources, and so was granted the sole authority to continue adopting vehicle emission standards, so long as they were at least as protective as the standards set by EPA.

The harmful emissions from Medium- and Heavy-Duty Trucks (MHD) pose a serious threat to both public health and climate change. Recognizing this, California has adopted the Advanced Clean Trucks regulation that aims to reduce on-road emissions from the MHD Truck sector to a greater extent than the current EPA standards.

Section 177 of the Clean Air Act allows other states to adopt the California standards if they are identical. The Clean Trucks Act of 2023 requires the Maryland Department of the Environment (MDE) to exercise this authority and adopt regulations implementing the California Advanced Clean Truck Program in Maryland. MDE has adopted implementing regulations in COMAR 26.11.43 through incorporation by reference of the applicable California regulations.

The Clean Trucks Act of 2023 authorized MDE to adopt California's Advanced Clean Trucks Regulations beginning with the 2027 model year. When COMAR 26.11.43 was adopted in 2023, MDE included a provision allowing manufacturers of vehicles over 8,500 pounds to earn, bank, and trade credits earned pursuant to the program one year before the program went into effect. MDE received numerous comments expressing a desire to increase this timeframe to two years, to better match what California and other ACT states have done. MDE is proposing to increase the lead-time for earning credits under the program by an additional year, meaning vehicle manufacturers can begin earning credits with the 2025 model year.



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Sources Affected and Location

This regulatory program will apply to manufacturers that sell vehicles in Maryland that have a gross vehicle weight rating over 8,500 pounds.

Requirements

There are no specific requirements associated with this proposed amendment. In essence, manufacturers will have an additional year to earn and bank credits before the program begins, easing their burden under the program.

Projected Emission Reductions

There are no projected emission reductions associated with this proposed amendment. Adding an additional year for manufacturers to earn credits before the program begins will not reduce the number of credits needed once the program begins. If anything, this provides an incentive to manufacturers to place these vehicles in Maryland a year earlier than they would have otherwise, since they will now earn credits they can use to meet the program's requirements beginning in model year 2027.

Economic Impact on Affected Sources, the Department, other State Agencies, Local Government, other Industries or Trade Groups, the Public

The Department does not believe this minor amendment will have any economic impact.

Economic Impact on Small Businesses

The Department does not believe this minor amendment will have any economic impact.

Is there an Equivalent Federal Standard to this Proposed Regulatory Action?

No.

Documents to be Incorporated by Reference

None.