

**Testimony on HB1258  
Energy Equality Act of 2025  
House Environment and Transportation Committee**

**March 11, 2025**

**POSITION: OPPOSE**

On behalf of our over 7,000 supporters in Maryland, the Union of Concerned Scientists opposes HB1258, which would repeal life-saving regulations that protect against toxic diesel air pollution. The Advanced Clean Cars II (ACCI) rule and the Advanced Clean Trucks (ACT) rule ensure that manufacturers make available zero-emissions technologies that would result in significant climate, health, and economic benefits.

These are some of the largest climate pollution reduction strategies to address the transportation sector, the largest sector contributing to climate change in Maryland. UCS analysis shows that even a mere a delay of the ACT by two years would result in hundreds of millions of dollars in public health harms from premature death to increased respiratory illnesses for Marylanders.<sup>i</sup> These impacts are already those that fall hardest on communities of color and low-income communities concentrated near high traffic corridors—already Black and Latine Marylanders are exposed to 21-22% more transportation pollution, respectively, than their White counterparts in the state.<sup>ii</sup>

Of note, both rules include numerous compliance flexibilities that make compliance in early years feasible for manufacturers. For ACCII, compliance flexibilities have been added on top of the existing ACCI program. Manufacturers will be able to take advantage of excess credits from years prior to MY27, environmental justice credits, banking, pooling, and trading of credits, use of plug-in hybrid electric vehicles for compliance.<sup>1</sup> For ACT, flexibilities include early action credits, banking, pooling, and trading of credits, use of plug-in hybrid electric vehicles for compliance, and interchangeability between vehicle classes.<sup>2</sup> Northeast States for Coordinated Air Use Management (NESCAUM), the nonprofit that supports administration of the crediting programs, has noted that for ACCII, these compliance flexibilities could bring the required share of zero emission and plug-in hybrid electric vehicles down to 15% in MY2027, the first year Maryland will implement the program.<sup>iii</sup>

Meanwhile, vehicle manufacturers determine product availability, but have engaged in practices that hold back life-saving pollution control technologies. For one, truck manufacturers have set arbitrary sales restrictions in a practice known as “ratio-ing”. According to interviews with dealers and manufacturers done by the California Air Resources Board (CARB),<sup>iv</sup> truck manufacturers have been telling dealerships that

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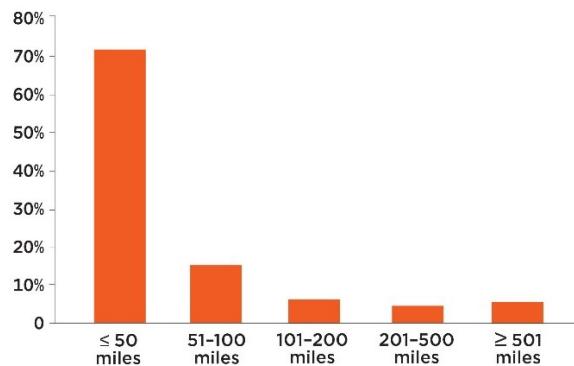
<sup>1</sup> NESCAUM, 2024. “Advanced Clean Cars II: Zero-Emission Vehicle Regulation Frequently Asked Questions”, [https://www.nescaum.org/documents/ACC-II-ZEV-FAQs\\_08-29-24.pdf](https://www.nescaum.org/documents/ACC-II-ZEV-FAQs_08-29-24.pdf)

<sup>2</sup> NESCAUM, 2024. “Advanced Clean Trucks Regulation Frequently Asked Questions”, [https://www.nescaum.org/documents/ACT-FAQ\\_website-version\\_clean\\_FINAL\\_09-17-24.pdf](https://www.nescaum.org/documents/ACT-FAQ_website-version_clean_FINAL_09-17-24.pdf)

limited availability is driven by compliance with the ACT regulation when it is not. In addition, truck manufacturers may be price gouging, with costs nearly \$90,000 per truck higher in the US than a comparable EV goes for on the European market.<sup>v</sup> They neglect to mention the crediting and compliance flexibilities built into the rule and the additional flexibilities recently negotiated between CARB and truck manufacturers, along with their commitment to meeting these emissions requirements.<sup>vi</sup>

Meanwhile, fleets' bottom lines stand to gain from zero-emissions truck technologies. Analysis by Environmental Resource Management has shown that the Advanced Clean Trucks rule would save fleets **over \$1.4 billion** in operating costs through 2050, mainly from reduced fuel and maintenance costs.<sup>vii</sup> Indeed the electric truck market is in a new phase, with exponential growth in new registration of zero-emission trucks and buses and over 85% of trucks and buses traveling less than 100 miles each day, well within the range of currently available zero-emissions models.<sup>viii</sup>

**Percent of National MHDV Population by  
Typical Daily Operating Range**



## **We strongly urge an unfavorable report on HB1258.**

<sup>i</sup> Dave Cooke, 2024. "Trucking Industry Disinformation Will Cost Lives", *The Equation* (UCS Blog), 30 October, <https://blog.ucsusa.org/dave-cooke/trucking-industry-disinformation-will-cost-lives/>. Given the higher ACT manufacturer sales requirements when Maryland will start to adopt the program, these delays will cost even more than in other states.

<sup>ii</sup> Maria Cecilia Pinto de Moura, 2019. "Inequitable Exposure to Air Pollution from Vehicles in Maryland", *The Equation* (UCS Blog), 15 November, <https://blog.ucsusa.org/cecilia-moura/air-pollution-from-vehicles-maryland/>; Kevin X. Shen, 2022. *Exposure to Diesel Particulate Pollution in Maryland*. Cambridge, MA: Union of Concerned Scientists. <https://www.ucsusa.org/resources/diesel-pollution-md>.

<sup>iii</sup> Megan Toole, 2025. "Advanced Clean Cars and Trucks: Testimony to the Vermont House Transportation Committee". February 12, <https://legislature.vermont.gov/Documents/2026/Workgroups/House%20Transportation/Transportation%20Issues/Electric%20Vehicles/W-Megan%20Toole-Advanced%20Clean%20Cars%20and%20Trucks,%20Northeast%20States%20for%20Coordinated%20Air%20Use%20Management-2-12-2025.pdf> at 15.

<sup>iv</sup> Steven S. Cliff, 2024. "California Truck Availability Analysis", Memo to CARB Board Members, [https://ww2.arb.ca.gov/sites/default/files/2024-09/240925\\_actmemo\\_ADA\\_0.pdf](https://ww2.arb.ca.gov/sites/default/files/2024-09/240925_actmemo_ADA_0.pdf) at 4.

<sup>v</sup> California Truck Availability Analysis at 9.

<sup>vi</sup> CARB, 2023. "CARB and truck and engine manufacturers announce unprecedented partnership to meet clean air goals." News release. July 6. <https://ww2.arb.ca.gov/news/carb-and-truck-and-engine-manufacturers-announce-unprecedented-partnership-meet-clean-air>.

<sup>vii</sup> Environmental Resources Management (ERM), 2023. *Maryland Clean Trucks Program*, August. <https://www.ucsusa.org/sites/default/files/2023-08/md-clean-trucks-report.pdf> at A-2.

<sup>viii</sup> Wilson, Sam. 2025. *Ready for Work 2.0: On the Road to Clean Trucks*. Cambridge, MA: Union of Concerned Scientists. <https://www.ucsusa.org/resources/ready-work-2>.