Committee:	**Environment and Transportation**
Testimony on:	**HB1258 – Consumer Goods- Restrictions Based on Energy Source – Prohibition (Energy Equality Act of 2025)**
Submitting:	**Deborah A. Cohn**
Position:	**Unfavorable**
Hearing Date:	**February 11, 2025**

Dear Chair Korman and Committee Members:

Thank you for allowing my testimony today in opposition to HB1258. I have resided in Maryland since 1986, and most of my descendants reside in Maryland. I am writing because I care about the air they breathe.

HB1258 would prohibit the state or local jurisdictions from restricting the sale, purchase or use of any tangible product based on the energy source it uses. That definition specifically includes motor vehicles and appliances. More broadly, it repeals the state's low emissions vehicle program, Advanced Clean Cars II regulations and Advanced Clean Trucks regulations. These regulations require vehicle manufacturers to sell an increasing percentage of zero emission cars, trucks, delivery vans and school buses from Model Year 2027 through 2035 and are based on the California Air Resources Board's (CARB) rules. The Maryland Department of the Environment (MDE) adopted the CARB rules under the authority of the Maryland Clean Cars Act of 2007 and Clean Trucks Act of 2023.

Transportation: The transportation sector is Maryland's number one generator of greenhouse gas emissions[1] and vehicles of all sizes are significant emitters of other toxic pollutants as well.

Gasoline-fueled vehicles account for 76 percent of GHG emissions from the on-road transportation sector, as indicated in Maryland's 2020 Greenhouse Gas Inventory. Under MDE's Climate Pollution Reduction Plan the Advanced Clean Cars II and Advanced Clean Cars Trucks programs are key policies needed for Maryland to meet its climate targets. Indeed MDE has called the Advanced Clean Cars II program "our single largest existing climate pollution reduction strategy over the long term."

Trucks and other large vehicles constitute only 9 percent of vehicles on our roads but contribute 21 percent of carbon pollutants but a whopping 48 percent of small particulate matter (PM2.5) that gets trapped in lungs and can be found in the blood stream, leading to systemic impacts, including cardiovascular inflammation and function.

Maryland has long-standing air quality non-attainment challenges, particularly for fine particle pollution and ozone smog. Over 80 percent of Maryland residents live in areas designated by EPA as being in non-attainment of the National Ambient Air Quality Standards for ozone, with the Baltimore region and Cecil County being in serious non-attainment. Vehicles are responsible for over 40 percent of Maryland's NOx emissions that contribute to the formation of smog. For

[1] https://mde.maryland.gov/programs/air/climatechange/pages/greenhousegasinventory.aspx

ozone smog in Maryland, the American Lung Association's most recent State of the Air report showed that results for eight Maryland counties were improving, but that most counties that are part of metro areas, while improving slightly, still ranked among the worst 45 counties in the nation. Baltimore and Harford Counties received an F rating, while Prince George's County, while improving, received a D.

High levels of ozone and even small levels of particle pollution can lead to significant adverse health consequences. Both ozone and particle pollution can cause premature births and death, asthma attacks, heart attacks, strokes, and impaired cognitive function later in life. Particle pollution can also cause lung cancer.

That report praised Maryland's strong commitment to improving air quality, citing the adoption of the Advanced Clean Cars II and Advance Clean Trucks rules. And it was with good reason that Maryland adopted these laws and regulations. They both helped to reduce harmful air pollutants that impair our health and trap heat within the atmosphere, leading to global warming and climate change. These reasons still stand.

And achieving increased sales of hybrid electric and zero emissions standards is attainable. MDE has been part of the Clean Cars program since 2007. No clean car state, including Maryland, has imposed any penalties on vehicle manufacturers under that program. Indeed, ten years ago ten states, including Maryland, signed a Memorandum of Understanding committing to attaining 10 million zero emission's vehicles on the road within the next 10 years. That goal was achieved, already reducing polluting emissions from vehicles in Maryland. Moreover, according to MDE vehicle manufacturers are significantly exceeding the standards that apply in the final years of ACC I and have accrued enough carryover credits to maximize flexibility through MY2031. And in California, where the ACT is already in effect, the states has exceeded its ACT goal two years ahead of schedule.

Meanwhile, the enforcement of the Advanced Clean Cars II regulations does not start until MY2027. The enforcement of Advanced Clean Trucks regulations does not start until MY2030, providing even more time for the market, including manufacturers and dealerships, to adjust and for appropriate charging facilities to expand. While Maryland's regulations must remain identical to California's regulations, MDE has complete discretion over the application of penalties to manufacturers should any be necessary.

Providing a clear, consistent regulatory framework promotes market and business certainty and adjustment. It reduces risk and accelerates any needed business investments. Maryland should not introduce uncertainty into this market. Businesses do not like uncertainty or change. But our world is changing and the adverse health impacts of pollutants only accelerates as climate warming accelerates.

With larger numbers of manufacturers offering qualifying vehicles, consumers and businesses have more options at more price points.[2] With continued expansion of publically available vehicle charging stations and improved range, range anxiety is decreasing. We have every

[2] Options even for electric semis are increasing. Scania, Volvo, Freightliner and Tesla all offer models.

reason to believe that the goals under Advanced Clean Cars II and the Advance Trucks Rule will also be attainable. It is premature to revoke these two programs to clean Maryland's air and reduce Maryland's carbon emissions.

Building Electrification: The buildings sector is another important contributor to state greenhouse gas (GHG) emissions. Both fuel burned in buildings and electricity used in buildings contribute to these emissions. Electrifying building appliances used for space heating and cooling, water heating, dryers, ovens and stoves significantly reduces use of fossil fuels. Moreover, cold temperature heat pumps are much more efficient than traditional HVAC equipment since they use the heat in the ambient outdoor or indoor air to heat or cool indoor air.

Gas appliances significantly increase indoor levels of nitrous oxides, benzene, and small particulate matter, whether through leaks in pipes or appliance use. Combusting gas inside a residence is simply unhealthy. Benzene is a known carcinogen and indoor use of gas appliances increases the risk that children will develop asthma.

Through the Climate Solutions Now Act and the Better Buildings Act, Maryland adopted laws calling for a transition to building electrification. MDE has implemented building energy performance standards which require increasing electrification and energy efficiency in buildings over 35,000 square feet. MDE is developing zero emissions heating equipment standards and clean heat standards to reduce emissions from residential and commercial buildings over time. These efforts and implementation of HB973, the Better Buildings Act, would all be undermined by HB1258.

For these reasons I oppose HB1258 and urge an UNFAVORABLE report in Committee. Thank you.