2025 HB1258 Testimony For 2025-03-11.pdf
Uploaded by: Alan Lang
Position: FAV

Testimony For HB1258

Honorable Delegates

I support

- Prohibiting a local government or unit of State government from restricting the sale, purchase, or use of a certain consumer good solely on the basis of the energy source used to power the consumer good;
- repealing provisions of law requiring the Department of the Environment to establish and maintain a certain low emissions vehicle program;
- repealing provisions of law requiring the Department to establish requirements for the sale of new zero-emission medium- and heavy-duty vehicles; and
- applying the Act retroactively. .

I fully support this bill. I believe the efforts to ban gasoline powered vehicles and tools is short-sided and uneconomical. The grid will not be ready to support everyone having an electrical car by the proposed target date, and I am unsure that electric trucks will be able to do all the duties that fossil-fuel based trucks can do.

Similarly, electric tools are okay for small jobs and small yards. However, some yard work, especially in rural areas, requires more powerful tools and tools that can last longer without needing recharging.

Please enter a favorable report for HB1258.

Alan Lang
45 Marys Mount Road
Harwood, Maryland 20776
Legislative District 30B
410-336-9745
Alanlang1@verizon.net
March 11, 2025

HB1258_Sherrod_FAV
Uploaded by: Elisabeth Sherrod
Position: FAV

3-11-2025

My name is Elisabeth Sherrod. I wanted to write in today to express my total support for 2 bills -
Bill: HB1258 to end the expensive electric vehicle Mandate and Bill: HB 1451 to reform the Climate Solutions Act of 2022. If a mandate is too expensive, no one would be beholden to it. And the HB1451 Amendment to END EmPower program

HB 1258 Sponsor Testimony.pdf
Uploaded by: Lauren Arikan
Position: FAV

LAUREN ARIKAN
Legislative District 7B
Harford County

Judiciary Committee

Annapolis Office
The Maryland House of Delegates
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The Maryland House of Delegates
ANNAPOLIS, MARYLAND 21401

The Honorable Delegate Marc Korman

251 Taylor House Office Building
Annapolis, Maryland 21401

SPONSOR TESTIMONY- HB1258 Energy Equality Act of 2025

Dear Chair Korman, vice chair Boyce and members of the Environment and Transportation Committee,

HB1258 would prohibit a local government or unit of State government from restricting the sale, purchase, or use of a certain consumer good solely on the basis of the energy source used to power the consumer good. HB 1258 would also repeal provisions of law requiring the Department of the Environment to establish and maintain a certain low emissions vehicle program as well as repeal provisions of law requiring the Department to establish requirements for the sale of new zero-emission medium- and heavy-duty vehicles; and applying the Act retroactively.

In essence, this bill ensures that local and state governments cannot ban or restrict the sale, purchase, or use of consumer goods based on their energy source. This allows consumers to choose the most cost-effective and efficient products for their lives and businesses and ensures protections for consumer choice, economic freedom, and energy diversity. Additionally, access to multiple energy sources prevents market manipulation and shortages and protects consumers from being forced into costly alternatives before infrastructure is ready.

HB 1258 preserves competition and innovation in the energy and consumer goods market and protects jobs in industries reliant on diverse energy sources. HB 1258 protects consumer rights, energy affordability, and economic stability by preventing bans on specific energy sources which encourages market-driven energy policies rather than government mandates.

For these reasons I urge a favorable report for HB 1258 to protect consumer choice and prevent government overreach.

Sincerely,

Delegate Lauren C. Arikan

MCIES LOS HB 1258.pdf
Uploaded by: Sarah Peters
Position: FAV

Bill: HB 1258- Energy Equality Act of 2025

Position: SUPPORT

Dear Chair, Vice-Chair and Members of the Committee:

The Maryland Coalition for Inclusive Energy Solutions, Inc. (MCIES) is a coalition of diverse stakeholders, including representatives from organized labor, manufacturing, energy production, transportation, and public utilities. Together, we are advocating for the inclusivity of all energy types, including natural gas, renewable natural gas, hydrogen, propane, and nuclear power. Please accept this letter in support of HB 1258.

HB 1258 advances Maryland's clean energy goals while also ensuring that residents maintain access to energy choices that best suit their needs. The legislation is designed to ensure Maryland residents can continue to purchase and utilize consumer goods regardless of the type of energy used to power them. Additionally, it repeals provisions related to the low-emission vehicle program and the zero-emission medium- and heavy-duty vehicle sales program, recognizing the importance of consumer energy choice in achieving balanced and effective energy solutions.

Across the country, more than 100 localities and several states have undertaken efforts to prohibit or severely restrict an energy source to its citizens, often through ordinances or building codes. These bans deprive consumers of choice, increase costs, threaten energy reliability and resilience, and significantly impact economic development.

The preservation of natural gas also ensures Maryland residents have reliable heating options during extreme weather events. Overreliance on any single energy source can jeopardize the stability of Maryland's energy system. Natural gas infrastructure remains one of the most reliable energy delivery systems, with unplanned outages affecting only about 1 in 800 customers per year, compared to an average of one outage per year per customer for the electric sector.

For these reasons, we respectfully request your support for HB 1258.

Sincerely,

Sarah Peters
Executive Director

MD 2025 HB 1258 Columbia Gas Testimony Final.pdf
Uploaded by: Scott Waitlevertch
Position: FAV

Columbia Gas® of Maryland
A NiSource Company

FAVORABLE – House Bill 1258
Consumer Goods – Restrictions Based on Energy Source - Prohibition
House Environment and Transportation Committee

Columbia Gas of Maryland, Inc., a natural gas utility providing energy to more than 34,000 customers in Maryland's western counties of Allegany, Garrett and Washington, supports House Bill 1258.

The legislation is designed to ensure Maryland residents can continue to purchase and utilize consumer goods regardless of the type of energy used to power the consumer good. In addition, the legislation repeals provisions of law related to a low emission vehicle program and provisions of law related to a zero-emission medium- and heavy-duty vehicle sales program.

Columbia's comments are focused on the "energy choice" provisions of the legislation. Columbia is informed, 26 states have adopted similar "energy choice" legislation to ensure residents can continue to use goods and products powered with the energy source that best matches their lifestyle. Columbia understands other state's "energy choice" legislation was passed with bipartisan support.

Columbia is further informed more than 100 localities across the country and several states have undertaken efforts to prohibit or severely restrict an energy source to its citizens. These bans have taken many forms either via ordinance or building code and many times have been adopted with little public awareness or input. These bans deprive consumers of choice, increase costs, threaten energy reliability and resilience, and significantly impact economic development.

Maryland natural gas consumers enjoy natural gas because it is affordable and reliable when needed the most. Polling conducted on behalf of the American Gas Association (AGA) found Americans oppose banning the use of natural gas by a two-to-one margin. It is notable Columbia sees continued interest in using natural gas in our service territory. Since 2016, the share of homes using natural gas for space heat has grown from 35% to 40%, compared to a decline in homes using electricity for heat from 38% to 36%. And although the number of our customers has been increasing, natural gas emissions have been declining. From 2005 through 2022, our total number of customers has grown by 9.7%, yet our customers' emissions have declined by 5.7%.

The natural gas system is strong and reliable, particularly during times of peak demand. Efforts to prohibit natural gas in Maryland would result in both immediate and long-term cost increases that would adversely affect energy affordability in the state.

Based on a recent study by Columbia Gas examining annual operating costs for customers in our service territory that compared current electric rates with our natural gas rates, natural gas is a lower cost heating fuel. A customer using a natural gas furnace can save more than 60%, compared to a similar customer using an electric resistance furnace. Customers using a modern gas furnace can save 10% - 34% compared to similar electric heat pumps. Prohibiting energy choice will increase costs to Marylanders.

Continuing to utilize the existing natural gas system is an affordable option for Maryland homes and businesses and a pathway for energy reliability. The preservation of natural gas gives residents the ability to stay warm on the coldest days of the year – like we experienced in mid-January 2025. With some areas of our service territory experiencing single digit daily high temperatures and temperatures as cold as -9 degrees at night our customers were provided the energy they needed when they needed it. On an energy equivalent basis, the gas system provides three times the energy as that of the electric sector during peak winter months.

Overreliance on any one source of energy can jeopardize overall energy system reliability and resilience and ultimately result in greater costs for all consumers. The natural gas distribution system is an incredibly reliable energy delivery system with unplanned outages affecting only about 1 in 800 natural gas customers per year. By comparison, electric distribution systems have an average of one outage per year per customer.

Preserving consumer energy options also ensures Maryland can take full advantage of a wide range of new and innovative technologies that can utilize the gas distribution system. The greater use of renewable natural gas and hydrogen can reduce greenhouse gas (GHG) emissions in Maryland, but efforts seeking to ban natural gas infrastructure and hook ups would severely limit Maryland's ability to be innovative and reduce GHG emissions.

Columbia Gas of Maryland believes the requirements of House Bill 1258 are appropriately and reasonably crafted policies related to Maryland's energy policies and supports the legislation.

March 11, 2025

Contact:
Carville Collins
(410) 332-8627
carville.collins@saul.com

Contact:
Scott Waitlevertch
(724) 888-9774
swaitlevertch@nisource.com

Ext. Comm. - Testimony - 2025 - Maryland HB 1258 -
Uploaded by: Joshua Fisher
Position: FWA

March 11, 2025

The Honorable Marc Korman
Chair, House Environment and Transportation Committee
251 Taylor House Office Building
Annapolis, Maryland 21401

HB 1258: Consumer Goods - Restrictions Based on Energy Source - Prohibition (Energy Equality Act of 2025)
Position: Favorable with Amendments

Chair Korman:

The Alliance for Automotive Innovation[1] (Auto Innovators) appreciates the opportunity to express our thoughts on HB 1258. We appreciate the sponsor's efforts to address this issue and bring balance to Maryland's new vehicle market. We also want to recognize Delegate Stein's legislation, HB 1556, which takes a different approach to solve the same problem. We are committed to working with the sponsors and the committee to align these proposals in a manner that benefits Maryland residents, the state's new car dealers, and automakers.

By 2030, the auto industry is expected to invest more than $1.2 trillion globally in electrification, including $123 billion that has been invested in the U.S. since 2020.[2] This includes massive investments in critical mineral sourcing and processing, battery cell and pack production, electric vehicle (EV) [3] research and development, certification, production, charging stations, and consumer education. In less than two years, the auto industry has significantly increased the number of electrified models, and EV options are available at a variety of price points to consumers in nearly every vehicle segment. **The auto industry will continue to deliver EVs to Maryland dealers without the mandate in place.**

EV Sales in Maryland

In the first three quarters of 2024, 11.9% of light-duty vehicles sold in Maryland were EVs, which was a minimal increase from the 2023 percentage of EV sales. **To meet the regulatory obligations of ACC II in MY 2027, EV sales must be more than triple in a very short period.** If EV sales do not increase between MY 2025 and MY 2027, the challenge in Maryland is further exacerbated in the following years: quadruple in MY 2028 (when more than half of new vehicle sales must be EVs) and quintuple in MY 2028 (when nearly two-thirds of new vehicle sales must be electric). There is no

[1] From the manufacturers producing most vehicles sold in the U.S. to autonomous vehicle innovators to equipment suppliers, battery producers and semiconductor makers – Alliance for Automotive Innovation represents the full auto industry, a sector supporting 10 million American jobs and five percent of the economy. Active in Washington, D.C. and all 50 states, the association is committed to a cleaner, safer and smarter personal transportation future. www.autosinnovate.org.

[2] https://www.autosinnovate.org/posts/papers-reports/get-connected-q2-2024

[3] Electric Vehicles include battery electric vehicles, plug-in hybrid electric vehicles, and hydrogen fuel cell electric vehicles.

viable path for automakers to meet these sales requirements in Maryland and this will necessitate drastic actions from automakers.

The Numbers Don't Add Up

It will take a miracle for Maryland and most states following California to meet these EV sales requirements. Trying it will harm customers, dealers and automakers doing business in the state.

Let's walk through this example and you'll see the numbers don't add up. Think of the EV sales requirements in Maryland as a ratio or a fraction.

In this case, the numerator is the number of EVs that must be sold each year. The denominator is the total number of vehicles sold annually. Using recent EV sales trends (and remember — sales *are* growing), about 60,000 EVs are projected to be sold in Maryland in 2027 out of 300,000 total vehicles. That's about 20% EV market share — but still 23 points short of the law's requirement.

One option for automakers to achieve the required EV sales ratio? Shrink the pie. In other words, sell fewer gas-powered vehicles in Maryland — about 160,000 fewer! A smaller pie inflates the proportion of EV sales in the state and voila… the EV sales requirement is achieved. That's a recipe to depress economic activity, increase automobile prices and obliterate customer choice.

It will also send Maryland drivers who don't want an EV (for whatever reason) to cross the border and buy a car in Pennsylvania or Virginia, states that don't follow California. All bad options for Maryland.

You can't get ahead of the customer, and that's where Maryland and this California-style EV sales mandate is — ahead of the customer. Not to mention the state's charging infrastructure.

EV Charing in Maryland

Readily accessible EV charging remains a significant barrier to EV adoption. Unfortunately, the rollout of public EV charging remains insufficient to meet customers' needs today and falls vastly short of the charging infrastructure required to support even 43% EV sales in MY 2027 (CY 2026).

The National Renewable Energy Laboratory (NREL) analyzed the EV charging infrastructure needs for every state to support total EVs in operation assuming 50% EV sales in 2030[4] (a level well below the ACC II requirements of 68% in MY 2030).

In that analysis, NREL found that Maryland will require at least one publicly available EV charging port[5] for every 27 EVs on the road. Maryland has slightly under 5,000 publicly available EV charging ports and around 118,000 EVs on the road. To support the number of EVs required to be sold in 2026, Maryland will need around 16,000 public EV charging ports. This means that within two years, Maryland will need over three times as many publicly available charging ports as today -

[4] https://www.nrel.gov/docs/fy23osti/85654.pdf

[5] Publicly available EV charging includes Level 2 and DC fast charging ports.

the equivalent of 13 new charging ports coming online every day between now and the end of 2026. And it only increases from there as the EV sales requirements increase each year.

As we sit here today, there is no plan in place to meet the sales requirements or install the needed charging infrastructure to support Maryland residents who will face less vehicles choices if the state does not alter its current course.

Credit Flexibilities

Proponents of ACC II often misrepresent the flexibility of credit usage to meet the mandate. In Maryland, manufacturers have five ways to earn credits toward the ZEV mandate. Early Compliance Values (ECV) are capped at 15% annually, while converted credits from ACC I are also limited to 15% per year. Pooled credits have a declining cap of 20%, 15%, 10%, and 5% over time but require a manufacturer to over-comply in one state, to transfer credits to another. Proportional credits and Environmental Justice (EJ) credits come with specific limitations, with EJ credits tied to sales to community programs such as the sale of discounted off-lease vehicles that won't become available until two to three years after ZEVs enter the leasing market.

The realistic scenario when the ZEV mandate reaches 43%, the maximum allowable ECV and converted credits will each account for just 6.45% (15% of 43%). Given these constraints, the most realistic credit utilization scenario of all available credits in Model Year 2027 is 13.5%, meaning manufacturers will still be required to sell at least 30% ZEVs in that year. Even with optimal credit flexibility, ZEV sales must increase 2.5 times by Model Year 2027 to meet the mandate.

Conclusion

There is no question that the auto industry is committed to this EV transition. **However, Maryland's continued participation in California's ACC II EV mandate will lead to market disruptions, less vehicles delivered to Maryland new car dealers, less vehicle choice for Maryland residents, high prices for consumers, and less revenue for the state.**

We look forward to working together with the state to find ways to achieve your state's electrification goals, consider additional actions to accelerate EV adoption in your state, and support automakers as they strive to their customers' needs.

Thank you for your consideration of our position. For more information, please contact our local representative, Bill Kress, at (410) 375-8548.

Sincerely,

Josh Fisher
Senior Director
Alliance for Automotive Innovation

HB1258 - Support with Amendment - Maryland Motor T

Uploaded by: Louis Campion

Position: FWA

Maryland Motor Truck Association

HEARING DATE: March 11, 2025

BILL NO/TITLE: HB1258: Consumer Goods - Restrictions Based on Energy Source - Prohibition (Energy Equality Act of 2025)

COMMITTEE: House Environment & Transportation

POSITION: **Support with Amendment**

Maryland Motor Truck Association (MMTA) members are deeply committed to supporting clean energy and emissions reductions from the transportation sector. We worked cooperatively with stakeholders to ultimately support passage of the Advance Clean Trucks Rule (ACT) in 2023, with a required needs assessment that was to have been completed by December 1, 2024. That assessment, which is now delayed to late 2025, is evaluating grid capacity, charging infrastructure, cost, availability, and other essential components to support the ACT's implementation and create a realistic pathway for zero emission truck adoption in Maryland.

MMTA appreciates the sponsor's recognition of the significant hurdles that must be overcome before the sales mandates required by the ACT can be met. We also know there is tremendous uncertainty about the future of zero emission vehicle programs given the recent actions by the Federal government; however, in lieu of an outright ban as required in HB1258, the Association supports amending this legislation similar to the proposal in HB1556, which would prevent any fines or penalties from being assessed on manufacturers that do not meet the sales targets required for MY2027 and MY2028. This approach allows for continued progression of the program in the state, without the fear of fines or inventory restrictions, as the infrastructure and market for zero emission trucks continues to ramp up and develop.

About Maryland Motor Truck Association: Maryland Motor Truck Association is a non-profit trade association that has represented the trucking industry since 1935. In service to its 1,000 members, MMTA is committed to support, advocate and educate for a safe, efficient and profitable trucking industry in Maryland.

For further information, contact: Louis Campion, (c) 443-623-5663

ALA_MD_ACT Repeal Comments_3-11-25.pdf
Uploaded by: Aleks Casper
Position: UNF

American Lung Association.
Maryland

House Bill 1258
Environment and Transportation Committee
March 11, 2025
Oppose

Chair Korman, Vice-Chair Boyce and Members of the House Environment and Transportation Committee:

Thank you for the opportunity to provide comments. **The American Lung Association in Maryland strongly opposes House Bill 1258 which would repeal the adoption and implementation of the Advanced Clean Trucks (ACT) standard.** The Lung Association believes that Maryland must continue to enact policies that will make meaningful reductions in harmful air and climate pollution and ultimately protect the health and well-being of Marylanders, and House Bill 1258 undermines these efforts.

The American Lung Association is the leading organization working to save lives by improving lung health and preventing lung disease, through research, education and advocacy. The work of the American Lung Association is focused on four strategic imperatives: to defeat lung cancer; to improve the air we breathe; to reduce the burden of lung disease on individuals and their families; and to eliminate tobacco use and tobacco-related diseases.

The American Lung Association's 2024 State of the Air[1] report revealed that four in ten Americans, more than 131 million people live in counties that had unhealthy levels of ozone and/or particle pollution. In Maryland there were mixed results with two counties receiving a failing grade for high ozone pollution and another four counties receiving a 'C' or lower living in a community with unhealthy levels of ozone or particle pollution. Ozone and particle pollution can harm the health of all Maryland residents and of particular risk are children, older adults, pregnant people, and those living with chronic diseases – approximately 80,000 children and 504,000 adults are living with asthma in Maryland and another 242,000 are managing other lung illnesses. Both ozone and particle pollution can cause premature death and other serious health effects such as asthma attacks, cardiovascular damage, and developmental and reproductive harm.

Climate change is one of the most urgent threats to human health of the 21st century. Reduction of harmful pollutants caused by burning fossil fuels and other combustion is critical to improving the local health today and ensuring a stable climate for future generations. Climate change is first and foremost a public health issue and one that creates disproportionate impacts across the state's diverse communities. Further, climate change is making the job of

cleaning our air much more difficult as temperatures rise and drive conditions for unhealthy ozone pollution days, among other health challenges.

The American Lung Association supports measures to reduce all emissions that contribute to climate change. Such measures should include but are not limited to transitioning away from fossil fuels to increased use of clean, non-combustion, renewable energy sources and zero-emission transportation technologies, expanding energy conservation and efficiency measures and establishing enforceable and science-based limits on emissions for all sectors including industrial, energy, commercial, residential and transportation. We support measures to reduce other outdoor air pollutants while reducing emissions that cause climate change.

The transportation sector is the leading source of air and climate pollutants. The American Lung Association issued our Zeroing In on Healthy Air[2] report which finds that a widespread transition to zero-emission vehicles powered by clean energy sources could result in up to 110,000 avoidable deaths and $1.2 trillion in public health benefits across the United States over the next 30 years. In Maryland specifically, the report found that transition to clean energy transportation could have $27.8 billion in public health benefits including 2,530 avoided deaths, 63,600 avoided asthma attacks and 315,000 avoided lost workdays. Achieving these public health benefits requires strong policies and investments at the local, state, and national levels to spur the transition to zero-emission vehicles and non-combustion, electricity generation. The transition to zero-emission technologies would benefit residents across the United States and in Maryland and especially those most burdened by power plants and transportation hubs like highways, ports, and warehouses. Implementing the Advanced Clean Trucks standard is a critical component of this transition to healthier, more sustainable transportation and must not be delayed.

More specific to the benefits of zero-emission trucks, the Lung Association also issued Delivering Clean Air: Health Benefits of Zero-Emission Trucks[3] that examined the health benefits of transitioning to zero-emission trucks and power generation in counties impacted by major trucking routes. Heavy-duty trucks deliver major doses of pollution to communities throughout the United States along with their cargo. The report indicated the transition to zero-emission trucking in communities with heavy trucking traffic could generate $735 billion in public health benefits, 66,800 in fewer premature deaths, 1.7 million fewer asthma attacks and 8.5 million fewer lost workdays. Maryland specifically could see $19.8 billion in health benefits, 1,803 avoided premature deaths, 46,875 asthma attacks avoided and 231,260 in lost workdays through the shift to zero-emission trucks and energy. We supported Maryland's efforts to accelerate the transition of heavy-duty trucks to zero emission as a significant opportunity to reduce health impacts and disparities in pollution-burdened communities and oppose any attempts to undermine these efforts.

The American Lung Association believes that all people are entitled to breathe healthy air and to be free of the adverse health effects of air pollution. We support the protection of all people from the harm of air pollution, especially those who suffer disproportionate exposure from local sources of emissions including carcinogenic diesel trucking emissions. We recognize that

major sources of air pollution are often located near where many people especially communities of color or lower-income residents, live and work which means their pollution burdens can be more immediate and disproportionally harmful.

The Lung Association strongly supports the Advanced Clean Trucks standard as an integral way to address the problem of air pollution in our state and significantly reduce harmful emissions and health disparities. House Bill 1258 undermines these efforts by repealing the ACT standards, therefore we request an unfavorable report from committee.

We thank you for the opportunity to provide comments and if you need any additional information, please do not hesitate to contact me at aleks.casper@lung.org or 202-719-2810.

Sincerely,

Aleks Casper
Director of Advocacy

[1] American Lung Association. State of the Air Report, 2024. Available at: https://www.lung.org/research/sota

[2] American Lung Association. Zeroing in on Healthy Air, 2022. Available at: https://www.lung.org/clean-air/electric-vehicle-report#

[3] American Lung Association. Delivering Clean Air: Health Benefits of Zero-Emission Trucks, 2022. Available at: https://www.lung.org/getmedia/e1ff935b-a935-4f49-91e5-151f1e643124/zero-emission-truck-report

Testimony HB1258 Revoking ACC ACT regs.pdf
Uploaded by: Debbie Cohn
Position: UNF

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.

HB1258 Unfavorable_CMTA.pdf
Uploaded by: Eric Norton
Position: UNF

Transportation Alliance

March 11, 2025

Testimony on HB 1258 –
***Energy Equality Act of 2025* –**
Environment & Transportation Committee

Position: Unfavorable

The Central Maryland Transportation Alliance opposes HB 1258, specifically the provisions of the bill that remove Maryland from participating in the Advanced Clean Cars II and Advanced Clean Trucks programs. In 2023, as required by law, the Maryland Department of the Environment (MDE) adopted the Advanced Clean Cars II and Advanced Clean Trucks regulations. These regulations require vehicle manufacturers to sell an increasing percentage of zero-emission passenger cars, school buses, trucks, and delivery vans from Model Year 2027 through 2035.

Transportation is the largest source of climate-damaging greenhouse gas (GHG) emissions and a leading source of toxic air pollution that is hazardous to human health. Gasoline-fueled vehicles account for 76% of GHG emissions from the on-road transportation sector, as indicated in Maryland's 2020 Greenhouse Gas Inventory. MDE's Climate Pollution Reduction Plan notes that the Advanced Clean Cars II and Advanced Clean Cars Trucks programs are key policies that are needed for Maryland to meet its climate targets.

Maryland's exit from the clean cars and clean trucks program would unnecessarily harm public health, significantly impede progress on achieving our climate goals, undo a decades-long legislative and regulatory process to reduce air pollution from Maryland vehicles, and erode consumer choice for more sustainable EVs.

We encourage an UNFAVORABLE report for House Bill 1258.

ECA Testimony of HB1258 Energy.pdf
Uploaded by: Frances Stewart
Position: UNF

HB1258 - UNFAVORABLE

Frances Stewart, MD
Elders Climate Action Maryland
frances.stewart6@gmail.com
301-718-0446

HB1258, Energy Equality Act of 2025

Meeting of the Environment and Transportation Committee

March 13, 2025

Dear Chair Korman, Vice Chair Kagan, and Members of the Committee, on behalf of Elders Climate Action Maryland, I strongly urge an unfavorable report on HB1258, the Energy Equality Act of 2025.

Elders Climate Action is a nationwide organization devoted to ensuring that our children, grandchildren, and future generations have a world in which they can thrive. The Maryland Chapter has members across the state.

Each day, we see the climate crisis more clearly. We know that Maryland is at risk for sea level rise, flooding from intense rainfall, heat waves, and other extreme weather events. Maryland can also be a leader in moving us to a safer, cleaner future where we all can thrive. The clean energy transition is an essential part of that future.

This bill seeks to undermine that transition and undo the progress we have made in making transportation and buildings cleaner and more energy efficient. Not only would it exacerbate climate change, it would also increase the particulate matter and NOx pollution that threaten our health. It would even hinder efforts to fight noise pollution, like Montgomery County's ban on gas-powered leaf blowers.

The idea behind this bill seems to be that all the sources of energy it names are equal, but the truth is that fossil fuels are dangerously polluting. They are also costly. Fossil fuel vehicles and appliances are less efficient and cost more to

operate. Those costs add up over the life of the equipment, which may be more than twenty-five years.

We want our children and grandchildren to have a future with a stable climate, clean air, and less noise. For all of these reasons, we strongly urge an unfavorable report on HB1258.

Thank you.

MDE HB1258 OPP.docx.pdf
Uploaded by: Jeremy D Baker
Position: UNF

The Maryland Department of the Environment
Secretary Serena McIlwain

House Bill 1258
Consumer Goods – Restrictions Based on Energy Source – Prohibition (Energy Equality Act of 2025)

Position: Opposition
Committee: Environment and Transportation
Date: March 6, 2025
From: Jeremy D. Baker, Director of Government Relations

The Maryland Department of the Environment (MDE) **OPPOSES** HB 1258.

Bill Summary

HB 1258 establishes restrictions on state and local governments' ability to limit consumer goods based on their energy source. The definition of consumer goods under the bill includes items primarily used for personal, household, family, or agricultural purposes, which applies to motor vehicles, appliances, and other tangible products. HB 1258 prohibits any local or state government from restricting the sale, purchase, or use of consumer goods solely because of the energy source powering them. Energy source is broadly defined to include electricity, gasoline, natural gas, propane, and other federally authorized fuel sources.

Position Rationale

House Bill 1258 proposes harmful pollution-increasing changes to Maryland's Commercial Law, the Environment Article, and the Transportation Article that would create an administrative burden across agencies with sustainability and climate initiatives. HB 1258 would increase litigation risk and resource burdens on MDE by increasing the likelihood of lawsuits over any regulation reducing pollution from consumer products, allowing opponents to argue that such regulations are based on the energy source. If interpreted broadly by the courts, HB 1258 could prohibit MDE from regulating sources commonly subject to its jurisdiction. HB 1258 would greatly hinder MDE's overall mission of protecting public health and the environment for the well-being of all Marylanders.

MDE respectfully requests the Committee give an **UNFAVORABLE REPORT** to HB 1258.

Contact: Jeremy D. Baker, Director of Government Relations
Cell: 240-548-3321 Email: jeremy.baker@maryland.gov

MML - HB 1258 - UNF.pdf
Uploaded by: Justin Fiore
Position: UNF

Maryland Municipal League
The Association of Maryland's Cities and Towns

TESTIMONY

March 6, 2025

Committee: House Environment and Transportation Committee

Bill: HB 1258 – Consumer Goods – Restrictions Based on Energy Source – Prohibition (Energy Equality Act of 2025)

Position: Oppose

Reason for Position:

The Maryland Municipal League opposes House Bill 1258, which would preempt local governments and units of state government from restricting the sale, purchase, or use of any consumer good solely on the basis of the energy source used to power the consumer good.

Municipal governments should be able to use their home rule authority to make environmental considerations at the local level, whether that be a restriction on gas powered leaf blowers or a ban on natural gas in the construction of new buildings. Locally elected officials are both capable of making these nuanced considerations and are directly responsible to their residents at the ballot box. As such, the League generally opposes bills that preempt local authority.

For these reasons the League respectfully requests that this committee provide an unfavorable report on House Bill 1258. For more information, please contact Justin Fiore, Deputy Director of Advocacy and Public Affairs, at justinf@mdmunipal.org. Thank you in advance for your consideration.

Testimony HB1258 Revoking ACC ACT regs_TCM MoCo_Un
Uploaded by: Karl Held
Position: UNF

Committee:	**Environment and Transportation**
Testimony on:	**HB1258 – Consumer Goods- Restrictions Based on Energy Source – Prohibition (Energy Equality Act of 2025)**
Organization:	**The Climate Mobilization, Montgomery County Chapter**
Submitting:	**Karl Held**
Position:	**Unfavorable**
Hearing Date:	**February 11, 2025**

Dear Chair Korman and Committee Members:

Thank you for allowing The Climate Mobilization, Montgomery (TCM MoCo) testimony today in opposition to HB1258.

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.

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 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.

In addition, 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.

The enforcement of the Advanced Clean Cars II regulations does not start until MY2027. The

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

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 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.

For these reasons, TCM MoCo opposes HB1258 and urges an UNFAVORABLE report in Committee. Thank you.

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

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Uploaded by: Kevin Shen
Position: UNF

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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 (ACCII) 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.[i] 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.[ii]

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.[1] 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.[2] 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.[iii]

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),[iv] truck manufacturers have been telling dealerships that

[1] 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
[2] NESCAUM, 2024. “Advanced Clean Trucks Regulation Frequently Asked Questions”, https://www.nescaum.org/documents/ACT-FAQ_website-version_clean_FINAL_09-17-24.pdf

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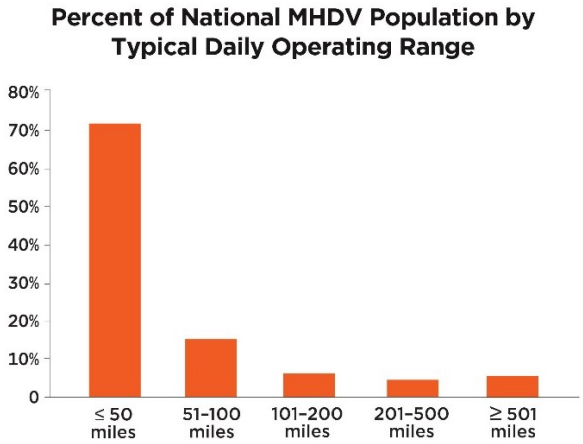
limited availability is driven by compliance with the ACT regulation when it is not. In addition, truck manufacturers may be price gouging, with costs nearly $90,000 per truck higher in the US than a comparable EV goes for on the European market.[v] They neglect to mention the crediting and compliance 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.[vi]

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.[vii] 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.[viii]



We strongly urge an unfavorable report on HB1258.

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[i] 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.

[ii] 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.

[iii] 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%20O'Toole~Advanced%20Clean%20Cars%20and%20Trucks,%20Northeast%20States%20for%20Coordinated%20Air%20Use%20Management~2-12-2025.pdf at 15.

[iv] 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 at 4.

[v] California Truck Availability Analysis at 9.

[vi] 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.

[vii] 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.

[viii] 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.

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

March 11, 2025
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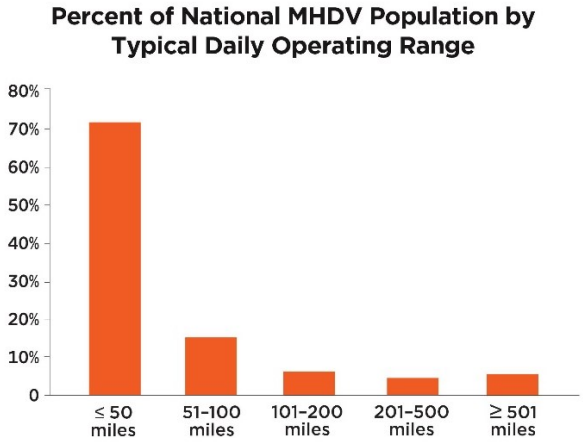

We strongly urge an unfavorable report on HB1258.

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[iii] 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

[iv] NESCAUM, 2024. "Advanced Clean Trucks Regulation Frequently Asked Questions", https://www.nescaum.org/documents/ACT-FAQ_website-version_clean_FINAL_09-17-24.pdf

[v] 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%20O'Toole~Advanced%20Clean%20Cars%20and%20Trucks,%20Northeast%20States%20for%20Coordinated%20Air%20Use%20Management~2-12-2025.pdf at 15.

[vi] 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 at 4.

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[ix] 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.

[x] 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.

HB1258_MDSierra_UNF_March32025.pdf
Uploaded by: Lindsey Mendelson
Position: UNF

SIERRA CLUB
MARYLAND CHAPTER

P.O. Box 278
Riverdale, MD 20738

Committee: Environment and Transportation and Economic Matters
Testimony on: HB 1258 "Consumer Goods – Restrictions Based on Energy Source – Prohibition (Energy Equality Act of 2025)"
Position: Oppose
Hearing Date: March 11, 2025

The Maryland Chapter of the Sierra Club strongly opposes HB 1258. The bill would prohibit the state or a local government from restricting the sale, purchase, or use of any consumer good based on the energy source that is used to power that good. This definition includes motor vehicles and appliances.

Additionally, the bill would remove Maryland from participating in the Advanced Clean Cars II and Advanced Clean Trucks programs. In 2023, as required by law, the Maryland Department of the Environment (MDE) adopted the Advanced Clean Cars II and Advanced Clean Trucks regulations. These regulations require vehicle manufacturers to sell an increasing percentage of zero-emission passenger cars, school buses, trucks, and delivery vans from Model Year 2027 through 2035. Section 177 of the Clean Air Act allows states to adopt vehicle emissions standards that are more strict than federal standards if they are identical to those adopted by the state of California, and MDE adopted these rules pursuant to the Maryland Clean Cars Act of 2007 and Clean Trucks Act of 2023. MDE has been a part of the highly successful Clean Cars program since 2007. No clean car state, including Maryland, has levied any penalties on vehicle manufacturers during the course of the program. While the regulations must remain identical to the state of California's regulations, MDE has full discretion over the system of penalties.

Transportation is the largest source of climate-damaging greenhouse gas (GHG) emissions and a leading source of toxic air pollution that is hazardous to human health. MDE's Climate Pollution Reduction Plan notes that the Advanced Clean Cars II and Advanced Clean Cars Trucks programs are key policies that are needed for Maryland to meet its climate targets.

These standards are also necessary to cut unhealthy air pollution. Vehicles are responsible for over 40% of Maryland's NOx emissions that contribute to ozone, or smog, pollution. Over 80% of Marylanders live in areas designated as being in nonattainment of the National Ambient Air Quality Standards for ozone, with the Baltimore region and Cecil County being in serious non-attainment. Residential neighborhoods located near major roads and highways face disproportionate burdens from transportation pollution and traffic. These neighborhoods are far more often communities of color due to decades of residential segregation, and bear a burden of higher rates of asthma and other health conditions and unremitting noise pollution.

Advanced Clean Cars II program

An April 2023 report from Energy Innovation Policy & Technology calculates that, from adopting the *ACC II rule alone*, Maryland will experience the following tangible public health benefits by 2050:

- 3,150 Avoided Asthma Attacks

- 15,600 Avoided Lost Workdays
- 195 Avoided Premature deaths
- 5,380 Avoided Respiratory Symptoms and Bronchitis
- 60 Avoided Nonfatal Heart Attacks
- 48 Avoided Hospital Admissions
- 26 Avoided Respiratory ER Visits
- 91,800 Avoided Minor Restricted Activity Days[1]

MDE has determined that the Advanced Clean Cars II program is "**our single largest existing climate pollution reduction strategy over the long term."**

Electric vehicles can also generate considerable savings for consumers while reducing our dependence on foreign oil. According to the Union of Concerned Scientists, by switching to an electric car, the average driver in Annapolis could save $920 a year on fuel costs.

There are numerous flexibilities that manufacturers can use to meet the compliance requirements including:

- **Historical credits (converted credits)**: Manufacturers can use converted credits from Advanced Clean Cars I to fulfill up to 15% of the annual requirement for Model Years 2026-2030. Additionally, according to MDE, the industry is significantly exceeding the standards that currently apply in the final years of ACC I and has already accrued enough extra credits to maximize relevant flexibility through Model Year 2031.
- **Credit Pooling:** Manufacturers can transfer excess credits earned in one state to another state from the same or previous model year to fulfill up to 20% of the annual requirement in Model Year 2027, and 15% in Model Year 2028.
- **Early compliance credits:** Manufacturers can also meet up to 15% of the annual requirement by banking credits from zero-emission vehicles sold in Maryland in Model Years 2024 to 2025.
- **Environmental Justice credits**: Manufacturers can receive credits that can be used to satisfy up to 5% of the annual requirement for new vehicles placed in community-based programs.
- **Plug-in hybrid vehicles**: Plug-in hybrids can be used to meet up to 20% of the annual ZEV requirement.
- **Banked credits**: Manufacturers can bank excess credits to use for future compliance for up to four model years.
- **Credit trading**: Manufacturers can trade or sell excess zero-emission vehicles and plug-in hybrid credits.
- **Three year lookback provision**: If a manufacturer cannot meet the annual requirement in any model year (and chooses not to buy excess credits from another manufacturer) it can make up the deficit within three model years. For example, a manufacturer could resolve a 2027 model year deficit by the end of the 2030 model year.

[1] Energy Innovation Policy & Technology LLC, "Nationwide Impacts Of California's Advanced Clean Cars II Rule" (April 9, 2023), https://energyinnovation.org/publication/nationwide-impacts-of-californias-advanced-clean-cars-ii-rule/.

With all the added flexibility mechanisms, the effective sales requirement for zero-emission vehicles is as low as 19% in Model Year 2027 and 26% in 2028. For context, 12.2% of light-duty vehicles sales in Maryland were electric in the last quarter of 2024.[2] When the EPA finalized its emissions standards for Model Years 2027 and later, it projected in its central analysis case that battery electric vehicles would make up 26% of national sales in Model Year 2027. The number of light-duty EVs registered in Maryland increased more than six-fold from 2020 to 2023, with a 50% increase from 2022-2023 alone, such that the total number of light-duty EVs in the state topped 103,000 at the end of 2023.

Advanced Clean Trucks program

The Advanced Clean Trucks program has reasonable requirements that are feasible to implement, and plays an important role in reducing public health outcomes. Trucks and other large vehicles account for 9% of vehicles on the road, but contribute 21% of carbon pollution and 48% of particulate matter (PM2.5) pollution emitted by the entire transportation sector in Maryland. People who are heavily exposed to PM2.5 and other toxic truck emissions, like nitrogen oxides, are at a greater risk for developing asthma and other lung diseases, like chronic obstructive pulmonary disease and lung cancer.

According to a report by ERM, the Union of Concerned Scientists and NRDC, the Advanced Clean Trucks rule is estimated to reduce Maryland's annual fleet greenhouse gas emissions by **40 percent below 2022 levels by 2050 and avoid over 38,000 cases** of acute bronchitis, exacerbated asthma, and other respiratory symptoms in Marylanders.

The Advanced Clean Trucks rule program is already a success. In California, the state has exceeded its Advanced Clean Trucks goal two years ahead of schedule, with five times the required sales numbers of electric trucks.

As with the Advanced Clean Cars II regulation, the ACT program gradually ramps up over time, encourages early voluntary action, and contains significant flexibilities. The ACT regulation uses a credit and deficit system. Deficits are generated by selling vehicles into the state; credits are earned by selling ZEVs. Manufacturers achieve compliance when total credits retired equals total deficits.

- **Plug-in hybrid vehicles:** Up to 50% of Advanced Clean Truck rule sales requirements can be met with plug-in hybrids through 2035.
- **Credit trading:** Manufacturers can trade credits across truck classes and manufacturers, with vehicles from heavier classes earning more credits.
- **Credit banking:** Excess credits can be banked for five years for use in future model years where a manufacturer has a deficit.
- **Early compliance credits:** Manufacturers can earn early action credit for eligible ZEVs sold in the Model Year 2026, before ACT goes into effect.
- **Lookback provision:** If a manufacturer does not have sufficient credits, they have one year to make up the deficit. (Note: **Maryland can adopt a California amendment to**

[2] Atlas Public Policy (data available to subscribers only)

the Advanced Clean Trucks rule that would provide manufacturers with a three-year makeup window if they fall short of zero-emission sales in a given year.)

Up to 50% of Advanced Clean Truck rule sales can be met with plug-in hybrids through 2035. There is also a credit banking system that allows for trading across truck classes and manufacturers, with vehicles from heavier classes earning more credits.

A report by Atlas Public Policy assessed the feasibility of charging infrastructure needed to support the Advanced Clean Trucks rule in Maryland. The analysis found "The majority of zero-emission MHD vehicles in Maryland under ACT compliance will be class 2b/3 trucks" – which by 2032 will require approximately 21,000 Level 2 charging ports and 485 en-route fast charging ports. The report noted that "For comparison, the majority of Maryland's 84,000 light-duty EVs are likely already charged at a Level 2 charger at home." To charge class 4-8 trucks under ACT, Maryland will need about 14,000 charging ports, two-thirds of which can be Level 2 ports at depots, with higher-powered charging ports making up the remaining third.[3] Atlas finds that the electricity required to charge these medium- and heavy-duty EVs in 2032 is equivalent to only 2.1% of the state's 2022 total electricity sales.

The trucking associations' claims that the ACT rule harms truck dealers stems largely from misleading practices by vehicle manufacturers. Some manufacturers have incorrectly informed dealers that diesel trucks are unavailable or that zero-emission truck sales ratios are required to obtain diesel inventory. Investigations, such as one by the California Air Resources Board (CARB), have indicated that "inconsistencies in communication have led dealers and fleets to believe that the ACT regulation's requirements are leading to the product shortages in the medium- and heavy-duty space which, upon discussions with all affected parties, is not backed by the data available." Additionally, CARB notes that "while OEMs are largely informing dealers and fleets that the ACT regulation is placing limits on the number of ICE vehicles which can be delivered, they have alternatively confirmed with CARB staff that this is not the case for the 2024 MY, which is consistent with the current ACT credit surplus."

Maryland's exit from the clean cars and clean trucks program would unnecessarily harm public health, significantly impede progress on achieving our climate goals, undo a decades-long legislative and regulatory process to reduce air pollution from Maryland vehicles, and erode consumer choice for more sustainable EVs.

Building Electrification

HB 1258's prohibition on restricting the sale, purchase, or use of any appliance based on the energy source that is used to power that good would impede Maryland's efforts to advance building electrification.

Building electrification is an important tool for reducing greenhouse gas emissions in the state and protecting Marylanders' health. Fuel burned in buildings accounts for approximately 16% of greenhouse gas (GHG) emissions in Maryland. The electricity used in buildings accounts for an

[3] This analysis is based on ACT being in place in Maryland by Model Year 2025.

additional contribution to GHG pollution; however, this will decline over time as Maryland's energy production becomes increasingly non-emitting. As Maryland works to achieve its climate goals to reduce GHG emissions by 60% (from 2006 levels) by 2031 and reach net-zero by 2045, building electrification will play a crucial role in meeting those targets.

Building electrification will also have significant public health benefits. Currently close to half of homes in Maryland burn use gas appliances. Use of gas appliances can increase levels of nitrous oxides, benzene, and particulates inside buildings through regular use or gas leaks, all of which generate health risk. Benzene is a known carcinogen. Inside our homes, gas appliances increase the likelihood that children will develop asthma; one study showed that children in homes with gas stoves have a 42% higher risk of asthma. Gas appliances, especially those that vent outdoors like water and space heating equipment, also play a large role in contributing to dangerous levels of smog pollution.[4]

Maryland has already demonstrated support for reducing emissions in the buildings sector through building electrification, and both existing and proposed climate- and health-protective policies could be threatened by HB 1258. MDE has implemented Building Energy Performance Standards (BEPS), which require increasing electrification and energy efficiency in buildings over 35,000 square feet. As called for in the December 2023 Climate Pollution Reduction Plan and Governor Moore's June 2024 Executive Order[5], MDE is developing Zero Emissions Heating Equipment Standards and Clean Heat Standards that will reduce emissions from residential and commercial buildings as space and water heating equipment is replaced at the end of its useful life. HB 1258 would also directly impact implementation of HB 973, the Better Buildings Act, if both were passed.

For these reasons, we urge an unfavorable report.

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[4] Sonoma Technology, Ozone Impacts from Building Combustion Sources on Nonattainment Areas in Maryland. September 2024.
https://www.sierraclub.org/press-releases/2024/11/report-buildings-play-big-role-unsafe-smog-levels-51-million-marylanders

[5] 01.01.2024.19, Leadership by State Government: Implementing Maryland's Climate Pollution Reduction Plan

HB 1258 - CBF - UNF.pdf
Uploaded by: Matt Stegman
Position: UNF

CHESAPEAKE BAY FOUNDATION

Environmental Protection and Restoration
Environmental Education

House Bill 1258

Consumer Goods - Restrictions Based on Energy Source - Prohibition
(Energy Equality Act of 2025)

Date:	March 11, 2025	Position:	**UNFAVORABLE**
To:	Environment and Transportation Committee	From:	Matt Stegman, MD Staff Attorney

The Chesapeake Bay Foundation **OPPOSES** House Bill 1258, which would prohibit a local government or unit of State government from restricting the sale, purchase, or use of a consumer good based on the energy source used to power the product. This bill is a direct effort to repeal Maryland's participation in the Clean Cars II vehicle emission standards.

Maryland has set bold, but necessary, greenhouse gas reduction goals, and implementation of the ACC II regulations is an important step in meeting the challenge. The Maryland Climate Pathways report identifies the transportation sector as second only to energy in the production of greenhouse gas emissions. ACC II will substantially reduce air pollutants that threaten public health, especially in overburdened and underserved communities that are disproportionately exposed to vehicular pollution. Now is not the time to move backwards on our climate commitments.

CBF urges the Committee's UNFAVORABLE report on HB 1258.

For more information, please contact Matt Stegman, Maryland Staff Attorney, at mstegman@cbf.org.

UNFAVORABLE-HB1258 - Energy Equality Act of 2025_M
Uploaded by: Ramon Palencia-Calvo
Position: UNF

MARYLAND LEAGUE OF CONSERVATION VOTERS

March 7, 2025

OPPOSE: HB 1258 - Consumer Goods - Restrictions Based on Energy Source - Prohibition (Energy Equality Act of 2025)

Chair Korman, Chair Wilson and Members of the Committees,

Maryland LCV strongly opposes HB1258 – Energy Equality Act of 2025, which would prohibit state and local governments from restricting the sale, purchase, or use of consumer goods based on their energy source, and repeal Maryland's Advanced Clean Cars II (ACCII) and Clean Trucks Act of 2023 programs. We firmly reject any attempts to repeal the implementation of these programs, which are essential to reducing pollution, protecting public health, and advancing Maryland's climate goals.

Maryland has made significant strides in addressing the harmful impacts of air pollution and climate change through the adoption of zero-emission vehicle policies like the Clean Trucks Act of 2023 and the ACCII regulations. These programs are essential to meeting the state's greenhouse gas reduction goals outlined in the Climate Solutions Now Act, protecting public health, and addressing the disproportionate burden of air pollution in low-income communities and communities of color.

Transportation is the largest source of greenhouse gas emissions in Maryland, accounting for nearly 40% of the state's emissions. Medium- and heavy-duty vehicles contribute a disproportionate share of this pollution, despite representing a small fraction of vehicles on the road. These vehicles emit higher levels of nitrogen oxides (NOx) and particulate matter (PM2.5), pollutants linked to asthma, lung disease, heart disease, and cancer. Communities located near highways, freight corridors, and warehouses—often low-income communities and communities of color—bear the brunt of this pollution, leading to higher rates of respiratory illness and other health disparities.

ACCII and Clean Trucks programs are critical tools for protecting public health, reducing emissions, and promoting environmental justice. By requiring manufacturers to sell increasing percentages of zero-emission passenger cars, trucks, and buses, these policies will deliver cleaner air to communities, lower fuel and maintenance costs for consumers, and accelerate the transition to a clean energy economy. It is important to emphasize that ACCII and Clean Trucks programs apply solely to vehicle manufacturers, not consumers or dealers. The programs do not mandate individuals or fleet owners to purchase zero-emission vehicles (ZEVs) or relinquish internal combustion engine (ICE) vehicles.

Additionally, these programs include significant compliance flexibilities for manufacturers, including the ability to bank, trade, and pool credits. If a manufacturer does not meet the ZEV sales target in a given model year, they have up to three years to make up the deficit before facing penalties. These provisions provide manufacturers with ample time and tools to meet their obligations, supporting a gradual, achievable transition to cleaner transportation without imposing burdens on consumers or dealers.

Repealing these programs would stall Maryland's progress in addressing the climate crisis and perpetuate harmful health disparities in overburdened communities. Additionally, it would undermine the state's ability to meet its legally mandated emissions reduction goals and jeopardize Maryland's leadership in advancing clean transportation solutions.

Maryland LCV urges the Committees to issue an unfavorable report on HB1258.

Testimony HB 1258.pdf
Uploaded by: Terrence Fitzgerald
Position: UNF

Testimony on HB 1258
Consumer Goods - Restrictions Based on Energy Source - Prohibition
House Environment and Transportation Committee

Date: March 11, 2025
Position: OPPOSE

Chesapeake Physicians for Social Responsibility (CPSR) is a statewide evidence-based organization of over 900 physicians and other health professionals and supporters that addresses existential public health threats: nuclear weapons, the climate crisis, and the issues of pollution and toxic effects on health, as seen through the intersectional lens of environmental, racial and social justice.

CPSR strongly opposes HB1258, which would remove Maryland from the Advanced Clean Cars II and Advanced Clean Trucks program.

Our own Maryland Department of the Environment has written:

- Transportation is the largest source of climate pollution in Maryland.
- Electric vehicles are the largest opportunity to achieve reductions.
- Advanced Clean Cars II is our single largest existing climate pollution reduction strategy over the long term. [1]

The health benefits of this program are innumerable. They include:

- Significantly decreased asthma and asthma attacks.
- Decrease of other chronic lung diseases
- Fewer heart attacks
- All of the economic benefits of avoiding the above medical problems.

Perhaps more significant – in the long term - than all of the above is the powerful reduction in Greenhouse Gas Emissions [GHG] that can result from the Advanced Clean Cars II and Advanced Clean Trucks program. On behalf of CPSR I would like to place special emphasis on this.

Climate chaos represents an extremely serious threat to our civilization. We are not talking about inconveniences, but very serious changes to the livelihoods of many in the world. The massive fires and hurricanes that we have seen in our country are only part of the picture. Droughts, heat emergencies, and desertification in some regions, and floods and sea level rise in others are already resulting in mass migrations that destabilize nations and trigger wars. As these impacts multiply, there is a real risk of catastrophic changes to our civilization. However, our society is just not taking these threats seriously, as evidenced by our limited policy changes and our failure to fully and rapidly enact those limited changes.

[1] Testimony to E&T Committee by Secretary McIlwain on January 22, 2025

According to the Maryland Department of Transportation, the current statewide emissions inventory "shows that on-road transportation is the single largest GHG emissions generator in Maryland, representing 36% of total GHG emissions." [2] Therefore, that is where we should act if we are actually going to try to decrease our contribution to climate change.

HB 1258 would eliminate much of the progress that we can make in this area. It makes no sense. It would mean continued contribution to the climate chaos that threatens us.

Our motto at CPSR, and a fundamental principle of public health, is that **WE MUST PREVENT WHAT WE CANNOT CURE**.

The eminent German physician and legislator Rudolf Virchow opined that "politics is nothing else but medicine on a large scale." Therefore, we physicians wish to join you legislators in working to prevent what we cannot cure by taking the step of giving an
→**UNFAVORABLE REPORT ON HB1258.**

Terrence T. Fitzgerald, MD

[2] https://www.mdot.maryland.gov/tso/pages/Index.aspx?PageId=88#:~:text=The%20current%20statewide%20emissions%20inventory,rail)%20represents%20another%204%20percent