



Blue States Pump the Brakes on California's HD Electric Truck Regulations

Oregon environmental agency to delay regulation, citing the need to protect businesses

November 20, 2024 (Sacramento): [Five of ten states](#) that adopted California's Advanced Clean Trucks (ACT) regulations are delaying implementation and forgoing enforcement of rules for medium-duty (MD) and heavy-duty (HD) trucks that provide essential public and emergency services.

On Thursday, November 21st, the Oregon Environmental Quality Commission (DEQ) will be the latest state to consider delaying the enactment of California regulations ([Agenda G](#)). Oregon is one of [ten states](#) that has adopted the California Air Resources Board's (CARB) rule requiring truck manufacturers to sell zero-emission vehicles (ZEV) as a certain percentage of new vehicle sales effective 2025. Federal law allows states that adopt CARB regulations (Section 177) to modify implementation dates, but the rules must be identical to California's. To reduce economic harm, some states have opted not to enforce certain aspects of the regulations.

California's HD electric and omnibus truck regulations have led to few, if any, inventories of combustion engines, creating economic hardship for small businesses that use MD and HD commercial trucks, including those that build tow trucks and service the motoring public. This has led many [blue states that adopted California's rules](#) to delay the regulations to avoid severe shortages of new, cleaner emission trucks in their state. Most states are awaiting the enactment of federal regulations that the Biden Administration scheduled for 2027, when California has also agreed to harmonize engine emission regulations, thus applying the same standard across all 50 states.

"Once hailed as a national model to reduce emissions, California's heavy-duty electric truck and Omnibus regulations are not functioning as intended. Small business owners in California and other states that have adopted the truck regulations don't have access to electric trucks that meet the required performance and safety standards, and new, cleaner combustion engines are nearly impossible to find," said Marko Mlikotin, spokesperson for a coalition of towing and recovery truck business owners. "It is time to pump the breaks on regulations that are well-intended but are not technologically or economically achievable. States should pump the brakes by delaying action on the regulations or, at the very least, exempt towing and recovery trucks that provide millions of Americans essential emergency roadside services."

[If Oregon's DEQ acts Thursday](#), it will follow North Carolina, Connecticut, and Maine, which have backed off their commitment to adopt the California standards. Colorado, Maryland, and Rhode Island have also delayed implementation.

The [DEQ staff report](#) states, "Because California has adopted additional compliance flexibilities for manufacturers, this conflict would likely create risk for companies selling new medium- and heavy-duty vehicles in Oregon, which could lead to temporary stoppages of sales or manufacturer-led restrictive sales mandates of these new vehicles into Oregon. This supply restriction could create problems for both public and private fleets that need to purchase new vehicles in 2025 either as replacements or for fleet expansion. Not taking action could also harm businesses that rely on revenue from the sale of these vehicles."

In 2023, the California Air Resources Board (CARB) approved what the Newsom Administration characterized as a "[nation-leading regulation](#)" to phase out the sales of medium—and heavy-duty combustion engines, which took effect in January 2024. The regulation began a national movement to transition America's trucking industry to Zero-Emission Vehicles (ZEVs) by 2035. Since the [heavy-duty electric truck regulations](#) were enacted this year, the importation of medium—to heavy truck combustion engine chassis to California has [declined dramatically](#). Truck dealers have reported an average 85% reduction in the number of trucks available from the previous year. The ACT and Heavy-Duty Omnibus (Omnibus) regulations cut off the supply of combustion engine trucks before truck manufacturers produced electric alternatives that meet a tow truck's range, performance, and safety standards.

"One does not need to look any further than California to see the consequences of heavy-duty electric and omnibus truck regulations that are not functioning as intended. Due to the lack of truck chassis, no more tow trucks will be built or sold in California in the coming months," [wrote James Walsh](#) to Oregon's DEQ, Walsh is the owner of [Fleet Sales West](#), a manufacturer of towing and recovery trucks in Oregon and California.

In a [September 25, 2024 memo](#), CARB staff acknowledged that the regulations are affecting the importation of combustion engine chassis, and action is required at the October 24 CARB meeting. The credit trading market CARB developed does not incentivize truck manufacturers to trade credits, and many credits are generated from electric pickups and small delivery vans, which have less credit value than truck sales. If the market were functioning, manufacturers could meet current demands for combustion engines while electric options were designed for mass production.

The lack of inventory is more acute for approximately 4,700 towing and recovery truck companies in California. When tow and recovery trucks constitute less than 1% of California's commercial truck sales, truck manufacturers do not prioritize producing such highly specialized trucks. CARB recognized this risk by recognizing government-owned towing and recovery vehicles as emergency vehicles, exempting them from the regulations. But private tow and recovery trucks, that provide most of the services, including free roadside assistance to stranded motorists, were not exempted.

Public safety agencies widely recognize California towing and recovery drivers as part of the roadway safety network that supports motorists and first responders. They prioritize motorists' safety by providing reliable roadside assistance 24/7, helping first responders, and clearing over 1,200 road accidents and 2,400 mechanical breakdowns daily. Their public importance was underscored during the COVID-19 pandemic when Governor Newsom deemed towing and recovery truck workers part of California's "Essential Critical Infrastructure Workforce."

UC Berkeley also found that a timely response from tow trucks saves motorists money and reduces air emissions, among other benefits. Timely responses can only be achieved by tow trucks having access to purchase new, cleaner emissions trucks to replace those that have reached the end of their service life.

Keep California Motorists Safe is a coalition of small businesses, truck drivers, and motorists. To view an explainer video and to learn more, visit www.casaferoads.com.

Contact: Marko Mlikotin
River City Communications
marko@rivercitycomm.com
m 916.799.7574