



THE GENERAL COURT OF MASSACHUSETTS  
STATE HOUSE, BOSTON 02133-1053

December 23, 2024

Governor Maura Healey  
Office of the Governor  
24 Beacon Street, Room 280  
Boston, Massachusetts 02133

Commissioner Bonnie Heiple  
Department of Environmental Protection  
100 Cambridge Street, Suite 900  
Boston, Massachusetts 02108

Dear Governor Healey and Commissioner Heiple,

We write to request a delay of the upcoming Advanced Clean Truck (ACT) rule that will come into effect January 1, 2025. While we all want to reduce emissions from the transportation sector, implementing the ACT rule at this time may unintentionally lead to more emissions while harming our public and private sector partners throughout the Commonwealth.

The Massachusetts Department of Environmental Protection's (MassDEP's) recent decision to delay the heavy-duty omnibus (HDO) rule by one year and exercise discretion for the enforcement of the ACT rule for government purchases of snowplows and street sweepers recognizes the difficulty public and private fleet owners currently face. However, this decision did not provide real relief for our municipalities and industries that rely on access to new, cleaner medium- and heavy-duty trucks (MHDs).

The fact remains that technology and infrastructure have simply not reached the level where they need to be to support the widespread adoption of electric MHDs at this time. Electric MHD technology is improving, but there still remain large gaps in the number and types of available electric vocational trucks that our public and private sector partners rely on. Even with the Commonwealth's rebate program for electric MHDs, the cost of these electric trucks are two to three times more expensive than their clean diesel or other clean technology counterparts. Finally, even if a public or private sector entity purchased an electric MHD, we have more work to do to build out our electric infrastructure. We recognized this fact in our recently passed clean energy law which specifically directed the Electric Vehicle Infrastructure Coordinating Council (EVICC) to report on the needs for charging MHD throughout the Commonwealth.

Current sales within the Commonwealth have shown that our state, municipal and private partners have shied away from purchasing electric MHDs for the aforementioned reasons. It is unrealistic to think recent amendments to the ACT rule adopted by the California Air Resources Board (CARB) will incentivize manufacturers or end-users to change their ways. Our public and private sector fleet managers are tasked with investing their limited resources in a reasonable and responsible manner – whether working within a limited municipal budget or buying a vehicle that can reliably perform the task it is needed for. As a result, implementing the ACT rule on January 1st will most likely lead to our public and private sector partners keeping their existing dirtier trucks on the road for a longer period of time. Given the estimate that fifty

percent (50%) of the Commonwealth's truck inventory pre-dates the United States Environmental Protection Agency's (EPA's) 2010 clean engine standards, we will be losing the opportunity to retire some of these trucks in the coming year as newer, cleaner diesel or other clean technology driven MHD cannot even be purchased.

We recognize that the Commonwealth sought to be one of the earliest adopters of the ACT rule. Delaying the ACT rule for a year or two does not mean that we will be retreating from the critical task of reducing emissions from the transportation sector. A delay in the ACT rule means that we will have additional time to build out our electric infrastructure, manufacturers will continue to improve electric MHD technology, and our public and private sector partners can reasonably budget for future electric MHD purchases tomorrow while purchasing cleaner MHDs today.

We appreciate your consideration of this matter and respectfully ask that you delay the Commonwealth's implementation of the ACT rule.

Sincerely,



**Senator Michael O. Moore**  
Second Worcester District



**Senator Peter J. Durant**  
Worcester and Hampshire District



**Senator Ryan C. Fattman**  
Worcester and Hampden District



**Senator Nick Collins**  
First Suffolk District



**Senator Brendan P. Crighton**  
Third Essex District



**Representative Christopher M. Markey**  
Ninth Bristol District



**Senator Bruce E. Tarr**  
First Essex and Middlesex District



**Senator John C. Velis**  
Hampden and Hampshire District



**Senator Patrick M. O'Connor**  
First Plymouth and Norfolk District



**Senator Edward J. Kennedy**  
First Middlesex District



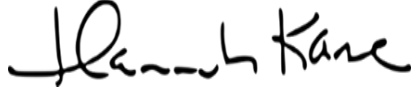
**Senator Michael D. Brady**  
Second Plymouth and Norfolk District



**Representative Brian M. Ashe**  
Second Hampden District



**Representative Angelo J. Puppolo, Jr.**  
Twelfth Hampden District



**Representative Hannah Kane**  
Eleventh Worcester District



**Representative Michael J. Soter**  
Eighth Worcester District



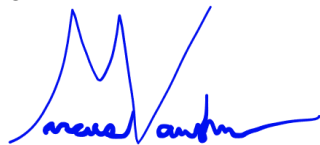
**Representative John J. Marsi**  
Sixth Worcester District



**Representative Meghan Kilcoyne**  
Twelfth Worcester District



**Representative Joseph D. McKenna**  
Eighteenth Worcester District



**Representative Marcus Vaughn**  
Ninth Norfolk



**Representative James Arena-DeRosa**  
Eighth Middlesex District



**Representative Jim Hawkins**  
Second Bristol District



**Representative Jonathan D. Zlotnik**  
Second Worcester District



**Representative Steven S. Howitt**  
Fourth Bristol District



**Representative F. Jay Barrows**  
First Bristol District



**Representative Marc T. Lombardo**  
Twenty-Second Middlesex District



**Representative Steven G. Xiarhos**  
Fifth Barnstable District



**Representative Kimberly N. Ferguson**  
First Worcester District



**Representative Smitty Pignatelli**  
Third Berkshire District



**Representative Bradley H. Jones, Jr.**  
Twentieth Middlesex District



**Representative Colleen M. Garry**  
Thirty-Sixth Middlesex District



**Representative Adam J. Scanlon**  
Fourteenth Bristol District



**Representative Paul K. Frost**  
Seventh Worcester District



**Representative Brian W. Murray**  
Tenth Worcester District



**Representative Lindsay Sabadosa**  
First Hampshire District



**Representative Patrick Kearney**  
Fourth Plymouth District



**Representative William Galvin**  
Sixth Norfolk District



**Representative David F. DeCoste**  
Fifth Plymouth District



**Representative Peter Capano**  
Eleventh Essex District



**Representative John Barrett III**  
First Berkshire District



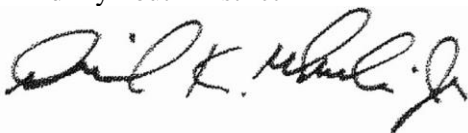
**Representative Norman Orrall**  
Twelfth Bristol District



**Representative Joan Meschino**  
Third Plymouth District



**Representative Carmine Lawrence Gentile**  
Thirteenth Middlesex District



**Representative David K. Muradian, Jr.**  
Ninth Worcester District



**Representative Jeffrey R. Turco**  
19th Suffolk District



**Representative Tackey Chan**  
Second Norfolk District



**Representative Kelly Pease**  
4th Hampden District