



September 4, 2024

The Honorable Gavin Newsom, Governor
1021 O Street, Suite 9000
Sacramento, CA 95814

Re: Assembly Bill 3179 (J. Carillo) – Request for Veto:

Emergency telecommunications medium- & heavy-duty zero-emission vehicles.

Dear Governor Newsom:

The American Lung Association writes to request your veto of Assembly Bill 3179 (AB 3179, J. Carillo). AB 3179 would limit implementation of an important public health program related to trucking pollution by granting exemptions to certain utility vehicles despite compliance flexibilities already incorporated into the Advanced Clean Fleets regulation adopted by CARB in 2023, and which is pending waiver approval at US EPA.

Californians face the most difficult air pollution challenges in the United States, with six of the ten most polluted cities in the United States and 98 percent of Californians living in communities with unhealthy air pollution. Breathing air pollution can contribute to a wide range of health emergencies, including asthma attacks, heart attacks and stroke, lung cancer and premature death. These health emergencies are often concentrated in communities of color and lower-income communities nearest to major sources of diesel exhaust and trucking emissions.

AB 3179 would exempt certain utility trucks from the California Advanced Clean Fleet regulation (ACF) despite a wide range of exemptions and extensions already available to address concerns over vehicle availability. Notably, the ACF provides clear exemptions that allow fleets to purchase combustion-based replacement vehicles if a zero-emission model is unavailable in the year of or the year before the compliance date or to purchase combustion-based vehicles if available zero-emission models cannot meet the needed duty cycle requirements of the fleet.

These exemptions were included in the ACF which was developed over several years of public process (workshops, hearings, meetings, etc.) based on stakeholder feedback, including on potential compliance challenges that ultimately resulted in the inclusion of compliance flexibilities. We are opposed to AB 3179 due to the mandatory exemption of vehicles afforded compliance flexibilities under a life-saving program that has yet to be implemented and is pending authorization by the US EPA.

The ACF rule is critical for meeting the direction laid out in Executive Order N-79-20, for attainment of federal air quality standards, and reducing community-level exposures to carcinogenic diesel exhaust on a phased and practical schedule with many flexibilities

incorporated into the rule. For these reasons, we urge you to veto AB 3179. Please contact me at William.Barrett@Lung.org for additional information.

Thank you,

A handwritten signature in blue ink that reads "Will Barrett". The signature is written in a cursive style with a prominent initial "W".

Will Barrett
Senior Director
Nationwide Clean Air Advocacy