

Subject Motor vehicle emission standards

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Summary

H.F. 376 repeals the rules adopted by Minnesota implementing the California vehicle emission standards known as Advanced Clean Cars I. Minnesota adopted the California standards in 2021 through the rulemaking process, which became effective in 2024 for Model Year 2025.

The federal Clean Air Act allows states to adopt and enforce motor vehicle emissions standards that are identical to those adopted by California, which was granted a waiver under the act to adopt standards more stringent than those set by federal law. Currently, 17 states and the District of Columbia have done so; these states collectively account for approximately 40 percent of the market for passenger vehicles in the U.S.

The standards apply to passenger cars, light-duty trucks, and medium-duty vehicles, including SUVs, but not to heavy-duty vehicles; used vehicles; exclusively off-road vehicles; vehicles sold for registration in other states; emergency vehicles; and vehicles purchased out-of-state by non-Minnesota residents who move to Minnesota.

The rules Minnesota adopted consist of two parts.

Low Emission Vehicle (LEV) standards for internal-combustion engine vehicles are more stringent than federal standards with respect to tailpipe emissions of CO₂ and other pollutants. Vehicles delivered for sale or lease in Minnesota must be certified by California to meet the LEV standards. Flexibility is granted to manufacturers by having the standard applied to a manufacturer's entire fleet of vehicles delivered to all 17 states that have adopted the California standards combined. SUVs do not have to meet the same standards as smaller vehicles.

The Zero Emission Vehicles (ZEV) standard refers to the percentage of a manufacturer's fleet of vehicles delivered for sale or lease in Minnesota that have been certified as ZEV by California. ZEVs include electric vehicles, plug-in hybrids, and hydrogen-fueled vehicles.

Minnesota's rules do not prohibit the sale of internal-combustion engine vehicles in the state or require the purchase of ZEVs. The report of the Administrative Law Judge reviewing Minnesota's proposed Clean Cars rules stated, "To comply with the ZEV standard, the MPCA estimated that EVs would need to make up approximately 6.2 – 7.4% of manufacturers' light-duty vehicle sales in Minnesota during . . . MY [Model Years] 2025-2034."

Minnesota did not adopt the Advanced Clean Cars II standard, which California adopted in 2022, and which requires at least 35 percent of new model cars to be ZEVs in 2026 and 100 percent by 2040.

If California amends its Advanced Clean Car rules, Minnesota's rules are not automatically amended in tandem. Minnesota would have to decide whether to become regulated under federal rules or to adopt the amended California standards, which it could only accomplish through a new rulemaking process.



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