

HOUSE RESEARCH

Bill Summary

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Overview

This bill, named the Minnesota Clean Car Act, establishes motor vehicle emissions standards for certain passenger vehicles and trucks starting in model year 2013. The standards follow California's emissions program authorized under the federal Clean Air Act with some Minnesota-specific modifications. The bill identifies vehicles exempted from the new emissions requirements, specifies various implementation requirements, and mandates reporting from the Minnesota Pollution Control Agency (PCA) as well as motor vehicle manufacturers.

Section

- 1 Citation.** Names the new vehicle emissions provisions as the Minnesota Clean Car Act.
- 2 Definitions.** Defines terms.
- 3 Applicability.** Establishes that the new vehicle emissions standards apply to new motor vehicles in Minnesota starting with the 2013 model year.
- 4 Exemptions.** Identifies motor vehicles that are exempted from the new emissions standards, including commercial motor vehicles (such as buses, school buses, and vehicles weighing over 26,000 pounds), vehicles used exclusively for off-highway purposes, certain vehicles registered outside of Minnesota, and vehicles titled or registered in Minnesota before model year 2013.
- 5 Administration; pollution control agency.** Establishes rulemaking and reporting requirements in order for the Minnesota Pollution Control Agency (PCA) to administer the motor vehicle emissions standards program.

Subd. 1. Rules. Requires the PCA to adopt rules to regulate auto emissions identical to those adopted by the state of California, as allowed under the federal Clean Air Act. Minnesota's rules must not contain:

- the 15-year or 150,000 extended warranty pertaining to partial zero-emission vehicles;
- fuel standards; or
- requirements for reduction in vehicle weight, speed limits, vehicle miles traveled, or particular type of vehicle.

The rules must also: be adopted under a good cause exemption to the standard rulemaking process; be amended in a timely fashion to remain identical with California's regulations, as required by federal law (using the same expedited rulemaking process); and, state that each section of the rules is severable, meaning that if a section is found to be invalid, the remainder continues to be in effect. Prior to amending rules, the agency is to give notice to the governor, the commissioners of commerce and agriculture, and the legislature.

If California's regulations are extended to off-road vehicles, including all-terrain vehicles, snowmobiles, boats, aircraft, lawnmowers, farm or construction machinery, those emissions rules do not apply in Minnesota. Minnesota cannot enforce any portion of California's regulations that have not received a federal waiver, as required by law. (This pertains to the greenhouse gas emissions standards proposed by California in 2002, for which the EPA has not yet issued a waiver.)

Subd. 2. Report. Requires an annual report, beginning January 1, 2010, by the PCA submitted to the governor, other agencies, and the legislature that contains certain information that manufacturers are required to provide (under a separate section) as well as data on E85 pumps, sales, and market share in each state.

Subd. 3. Comment submission. Requires that the PCA submit comments to the California Air Resources Board (CARB) on rulemaking changes that CARB proposes to the low-emissions vehicle standard.

- 6 Implementation.** Requires that new motor vehicles, model year 2013 and later, must meet the low-emission vehicle program requirements under the act.

Establishes that (1) emissions requirements must be met for each manufacturer based on the fleetwide average of vehicles sold in Minnesota; (2) manufacturers may use credits and debits to calculate pollutants regulated under the new emissions standards; and (3) the PCA must use only state-specific information to determine compliance with the program.

- 7 Manufacturer responsibilities.** Requires various reports and information from automobile manufacturers concerning: flexible fuel and E85 vehicles sold in Minnesota, use of domestic steel in vehicle production, vehicles manufactured in the United States, total vehicle deliveries to Minnesota, and average fleetwide vehicle emissions for each test group and each regulated pollutant.

- 8 Contents.** Makes conforming changes to modify application requirements for a vehicle title to include providing evidence of an exemption from the emissions standards.

- 9 Rule adoption.** Requires the PCA to adopt rules establishing the emissions standards program by September 30, 2009.

10 **Effective date.** Makes the act effective the day after enactment.