

SUMMARY OF THE HISTORY OF VERMONT'S ADOPTION OF CALIFORNIA VEHICLE EMISSIONS STANDARDS

- 1996:** Vermont first adopted regulations requiring that, beginning with model-year 2000, all new passenger cars and light-duty trucks sold in Vermont meet California's Low Emission Vehicle (LEV) emissions standards.
- 2000:** Vermont amended its regulations to incorporate changes to California's emission standards, known as the LEV II standards, to adopt California's standards for medium-duty vehicles, and to require a California warranty statement, etc. At this time, VT also adopted the requirement for the delivery and sale of Zero Emission Vehicles (ZEVs) and other super low emission vehicles known as Partial ZEVs beginning with model year 2004.
- 2003:** Vermont adopted a number of changes to the LEV program that California had made since VT last amended its regulations in 2000, as well as revisions to the ZEV component of the LEV program that California adopted on December 19, 2003. These amendments were adopted by emergency rulemaking in order to ensure that the ZEV-related changes would go into effect with model-year 2007 vehicles.
- 2004:** The amendments that Vermont adopted by emergency rulemaking in 2003 were adopted by regular rulemaking.
- 2005:** Vermont adopted the California Greenhouse Gas (GHG) fleet average provisions for the 2009-2016 Model Years developed by the California Air Resources Board (CARB) under direction of California Assembly Bill 1493, "Pavley", incorporated as section 1961.1 in Title 13 of the California Code of Regulations.
- 2007:** Vermont successfully defends 2005 adoption of GHG standards against legal challenges by the automobile industry in *Green Mtn. Chrysler v. Crombie*, F. Supp. 2d 295 (D. Vt. 2007). Vermont's victory in this case ultimately influenced a California court hearing a similar case to essentially reverse itself and to uphold the standards in California; helped to derail lobbying efforts calling for federal legislation prohibiting states from adopting the standards; and paved the way for the adoption of the first-ever national greenhouse gas emissions standards.
- 2008:** Vermont adopted amendments to its LEV regulations to incorporate by reference three changes to California's LEV Program: (1) revisions to the Zero Emission Vehicle (ZEV) program to reflect technology readiness and simplify specific program requirements; (2) a new environmental performance labeling program to require labels that score smog and global warming emissions from new motor vehicles; and (3) amendments to strengthen the Emission Warranty Information Reporting and Recall requirements. The amendments also included minor administrative changes to update and clarify its LEV regulations.

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- 2011-12:** Vermont played a lead role in negotiating with automobile manufacturers an optional ZEV compliance path for manufacturers to select in Section 177 States. Reaching agreement on the optional compliance path was a key factor in garnering the automobile industry's public support of the ZEV component of California's Advanced Clean Cars Program.
- 2012:** Vermont adopted the next generation of motor vehicle emission standards for criteria pollutants for 2015-2025 model years and greenhouse gases for 2017-2025 model years; the next generation of ZEV requirements through model year 2017; improved vehicle labeling requirements; and amendments to the existing greenhouse gas standards for passenger vehicles. The amendments also included some minor administrative changes to update and clarify its LEV rules.
- 2014:** Vermont amended its LEV regulations to adopt the next generation of ZEV requirements for model years 2018-2025 and minor revisions to clarify existing requirements.
- 2018:** Vermont amended its LEV regulations to maintain consistency with California's 2018 amendment of its rules clarifying that vehicle manufacturers may not substitute compliance with federal greenhouse gas (GHG) emissions standards in order to comply with California GHG emissions standards (the so-called "deemed to comply" provisions).
- 2022:** Vermont amended its LEV regulations to adopt the next generation (LEV IV) of motor vehicle emission standards for criteria pollutants for 2026-2035 model years and the next generation of ZEV requirements through model year 2035; Advanced Clean Cars II, Advanced Clean Trucks; Low NOx Heavy-Duty Omnibus; and Phase 2 greenhouse gas trailer standards.
- 2024:** Vermont adopted three minor amendments to the Low NOx Heavy-Duty Omnibus rule to maintain consistency with California's rule: (1) clarified the existing transit bus exemption, (2) adjusted the vehicle model year for early compliance credit generation, and (3) added legacy engine provisions to provide engine manufacturers compliance flexibility for model year 2026.
- 2025:** Vermont anticipates that California will propose additional amendments to the Advanced Clean Truck rule as a result of the Clean Truck Partnership, an agreement between CARB, the Truck and Engine Manufacturers Association (EMA), and other major truck manufacturers. In exchange for commitments that the companies will meet California's vehicle standards regardless of whether any other entity challenges California's authority to set more stringent emissions standards under the federal Clean Air Act, CARB has agreed to work collaboratively with manufacturers to provide more lead time to meet CARB's existing regulatory requirements before imposing new regulations, and to provide additional Advanced Clean Trucks rule compliance flexibility.