

The Road to Clean Cars New Mexico

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On June 24, 2021, the New Mexico Environment Department and the City of Albuquerque Environmental Health Department announced the start of a Clean Cars rulemaking process. Adopting low-emission and zero-emission standards for new cars and trucks offered for sale in New Mexico improves the air we breathe, gives consumers more choices, saves New Mexicans money, and is good for our planet. This page provides updated information on this process and how interested members of the public can stay informed and participate.

Pollution from transportation accounts for a large portion of New Mexico's greenhouse gas emissions and contributes to the state's growing ozone problem. Seven New Mexico counties are nearing problematic ground-level ozone levels, which cause respiratory illnesses and heart attacks, and disproportionately affect the state's most vulnerable populations. New vehicle standards can significantly improve air quality, including ground-level ozone levels, especially along heavily traveled urban corridors where traditionally disadvantaged populations disproportionately live and work.

In addition to the information below, the New Mexico Environment Department and the City of Albuquerque Environmental Health Department have prepared answers to [Frequently Asked Questions \(FAQs\)](#) and supplemental information.

The Environmental Improvement Board and the Albuquerque Bernalillo County Air Quality Control Board will hold a joint hearing on the Clean Car Rule (20.2.91 and 20.11.104 NMAC, respectively) to begin Wednesday May 4, 2022. [Notice of Intent to hold the hearing](#) was published in English and [Spanish](#) in the New Mexico Register and newspapers throughout the state. The hearing will last as long as required to hear all testimony, evidence, and public comment, and is expected to last approximately two days. The Boards may deliberate and vote on the Clean Car rule immediately following the hearing, likely beginning Friday May 6, 2022.

NMED developed this [Public Involvement Plan](#) (PIP) to increase transparency regarding the planning, decision-making, and rulemaking process of adopting California's Clean Car standards. The PIP describes the specific activities the department is taking to inform and include New Mexicans in this rulemaking process.

Opportunities for public and stakeholder participation before and during the Clean Car Rule hearing

The interested public and stakeholders have multiple opportunities to participate in the rulemaking process for the proposed, statewide Clean Car Rule, [EIB 21-66 \(R\)- In the Matter of Proposed 20.2.91 NMAC – New Motor Vehicle Emissions Standards](#) and [AQCB Petition No. 2022-1: Petition to Repeal Existing Rule 20.11.104 NMAC, Emission Standards for New Motor Vehicles, and Adopt Proposed Replacement Rule 20.11.104 NMAC, New Motor Vehicle Emission Standards](#).

- Persons can submit comments on the proposed rule to the Environment Department at cleancars@state.nm.us by March 25, 2022.
- Any person who wishes to present technical evidence at the hearing shall file a notice of intent by April 14, 2022, with the Board Administrator (pamela.jones@state.nm.us), including the docket number and the name of the regulation.
- The public can contribute comments verbally virtually or in-person during the public comment period scheduled for 1 p.m. and 7 p.m. on May 4 and 9 a.m. and 1 p.m. on May 5, 2022. Virtual participants can find meeting access information on the Environment Department's event calendar for [Wednesday May 4](#) and [Thursday May 5](#). The in-person meeting will be held in San Miguel and Mesilla Rooms 215 and 235 on the eastern upper level of the City of Albuquerque Convention Center, 401 2nd Street NW.
- The public wishing to submit non-technical testimony before the hearing may submit relevant evidence, data, views, and arguments to the Board Administrator: pamela.jones@state.nm.us, telephone (505) 660-4305, or **Environmental Improvement Board Administrator, New Mexico Environment Department- Harold Runnels Building, P.O. Box 5469, Santa Fe, NM 87502**. The Board Administrator will accept written comments until the close of the hearing.

If any person requires assistance, an interpreter, or an auxiliary aid to participate in this process, please contact the Board Administrator at least 14 days prior to the hearing date at 1190 St. Francis Drive, P.O. Box 5469, Santa Fe, NM 87502, telephone (505) 660-4305, or email pamela.jones@state.nm.us (TDD or TTY users please access the number via the New Mexico Relay Network, 1-800-659-1779 (voice); TTY users: 1-800-659-8331).

Air boards scheduled joint hearing on Clean Car Rule for May 4-5, 2022, with deliberation and decision to follow

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The Environmental Improvement Board and Albuquerque Bernalillo County Air Quality Control Board approved petitions for a joint hearing on the proposed New Motor Vehicle Emission Standards (the Clean Car Rule)

On December 17, 2021, the Environmental Improvement Board proposed a joint hearing for the [proposed New Motor Vehicle Emission Standards](#) to begin Wednesday, May 4, 2022, which the Albuquerque Bernalillo County Air Quality Control Board concurred on February 9, 2022, in response to the [City of Albuquerque's petition](#). The proposed clean car rule incorporates constructive feedback that NMED and the City of Albuquerque received during the informal comment period and will cover New Mexico statewide to meet the requirements of the federal Clean Air Act.

NMED received over 130 comments on the discussion draft Clean Cars Rule

The Department received and considered the comments submitted on the [discussion draft Clean Car Standard Rule](#) by auto dealers, automakers, the agriculture industry, community advocates, environmental groups, and over 120 individual New Mexicans. The majority of comments support the adoption of stricter tailpipe emission standards on new passenger cars and the requirement that automakers deliver a greater percentage of zero-emission passenger cars beginning in 2025.

What is Clean Cars New Mexico all about?

Clean Cars New Mexico is about adopting stricter emission standards for new cars and trucks offered for sale in the state. The low-emission vehicle (LEV) standard would require car manufacturers to offer new passenger cars and trucks in New Mexico that produce fewer greenhouse gases and other harmful air pollutants than vehicles only subject to the federal standard. The zero-emission vehicle (ZEV) standard would require manufacturers to offer for sale a minimum number of new, low- and zero-tailpipe emission vehicles (battery-electric vehicles, plug-in hybrid electric vehicles, and hydrogen-fuel-cell vehicles) as a percentage of all new vehicles for sale in the state. While the standards are identical to those set by California, New Mexico has some flexibility in determining early action credits, proportional credits, adoption timeline, reporting, compliance, and enforcement. California's LEV/ZEV regulations have been adopted in at least 14 other states and Washington D.C, including recently in Nevada, Minnesota, Virginia, and Washington.

Why is NMED working with the City of Albuquerque?

The Environmental Improvement Board regulations govern air quality throughout the non-tribal areas of the state except within Bernalillo County, which is the domain of the Albuquerque-Bernalillo County Air Quality Control Board. To assure that the rule applies to the jurisdictions of both the EIB and of the AQCB and meets the identity requirements of Section 177, the City of Albuquerque and NMED are partnering on these rules to clean up car tailpipe emissions for the air that all New Mexican's breathe.. Find out more at the [City's Clean Cars Rule website](#).

Why is the state advancing Clean Cars New Mexico now?

Governor Michelle Lujan Grisham's [Climate Change Executive Order](#) announced our state's intent to reduce greenhouse gas (GHG) emissions by 45% by 2030. The order includes the Clean Cars New Mexico initiative to adopt low- and zero-emissions performance standards for passenger cars and trucks. After helping businesses keep employees safe during the COVID-19 pandemic and drafting the ozone precursor rule, NMED is ready to clean up emissions from passenger vehicles. This initiative is just one part of a broad program to reduce pollution across the transportation, energy, agricultural, industrial, and commercial sectors of our economy, which are outlined in the [2020 New Mexico Climate Strategy](#).

What is the timeline for the proposed Clean Cars New Mexico rulemaking?

The graphic below lays out the proposed rulemaking schedule, which began with a robust stakeholder and public engagement process. After NMED and the City of Albuquerque filed rulemaking petitions in December 2021 and January 2022 to their respective air boards, the New Mexico Environmental Improvement Board and the Albuquerque-Bernalillo County Air Quality Control Board agreed to hold a joint hearing beginning on May 4, 2022. If the air boards agree to hold deliberations and make a decision on May 6, 2022, immediately following the hearing, the timeline below may be accelerated.

