



January 18, 2022

The Honorable Kevin McCarty
 California State Assembly
 State Capitol, Room 2136
 Sacramento, CA 95814

RE: AB 1218 (McCarty) - OPPOSE

Assemblymember McCarty:

On behalf of the coalition listed below, we must continue to **OPPOSE** your AB 1218 as it was amended on January 6, 2022 which bans sales of internal combustion engine (ICE)

light duty vehicles beginning in 2035 without regard for charging/fueling availability, cargo/passenger capacity or other considerations important to California families and businesses.

Unnecessarily Limits Mobility and Transportation Options for California Families and Businesses

AB 1218 codifies Governor Newsom's executive order requiring the California Air Resources Board (CARB) to ban the sale of all ICE light duty vehicles by 2035 and authorizes CARB to adopt regulations requiring increasing sales of new zero-emission vehicles sold in California prior to 2035. This broad delegation of authority to CARB limits mobility and transportation options for the vast majority of California families and businesses. Codifying Governor Newsom's Executive Order fails to address the myriad of agencies, programs, and policies that should be considered before handing such statutory authority over to a single entity. Zero Emission Vehicles (ZEV) are available today, but are not viable transportation options for all Californians for various reasons including cost and availability of charging/fueling infrastructure. Inadequate ZEV refueling infrastructure in single family and multi-family housing and increasing electricity rates, which increase the cost of each mile driven by families and businesses, are two of the major hurdles that should be addressed before policymakers decide to limit choice for California's 27 million drivers and 28.5 million light duty vehicle owners.

AB 1218 is Unnecessary: Transformation Requires Infrastructure

Currently, automakers offer 60 different models of ZEVs to California consumers. Over the course of the next few years, that number will grow to over 130 models. In the first three quarters of 2021, ZEV sales accounted for 12% of new vehicle sales in the state. The gap between where California sales are today and what AB 1218 requires ZEV sales to increase to is 800%. Successfully electrifying the entire new vehicle fleet, without leaving Californians stranded, requires far more than just banning cars available today. It requires a robust infrastructure for electric vehicle charging and hydrogen refueling.

After a decade of taxpayer and ratepayer investments and focused efforts by CARB, the California Energy Commission, the Public Utilities Commission and the Governor's office, California is still falling behind the infrastructure needed even in 2025 on the current trajectory toward 2035. The CEC's most recent electric vehicle charging report concludes California will need 1,164,000 public and private shared chargers across the state by 2030. As of January 2021, there were about 70,000 shared chargers. Even with additional charging planned by 2025, California only has about 17% of the shared chargers needed by 2030 to be on a trajectory of 100% ZEV sales by 2035 as required by AB 1218.

AB 1218 Provides No Considerations/Exemptions

As of 2017, all state agencies are required to prioritize purchasing of Zero Emission Vehicles (including battery electric, fuel cell, and plug-in hybrid) in certain designated vehicle categories where programmatically feasible. This ZEV/Hybrid-Electric Alternative

Fuel Vehicle First Purchasing mandate allows for certain exemptions that recognize that available ZEV vehicles may not meet an agency's transportation requirements. Exemptions are available for considerations related to charging/fueling availability, range limitations, and cargo/passenger capacity. These same considerations are important to California families and businesses. Without consideration for available infrastructure, AB 1218 may leave millions of Californians stranded and unable to meet their transportation needs.

The legislature should not cede this much unchecked authority to any executive branch entity.

For these reasons, we must OPPOSE AB 1218 as currently drafted.

On behalf of the following organizations:

African American Farmers of California	Californians for Affordable & Reliable
Agricultural Energy Consumers	Energy
Association	Coastal Energy Alliance
American Pistachio Growers	CTIA
Black Business Association	Far West Equipment Dealers Association
California African American Chamber of	Inland Empire Economic Partnership
Commerce	National Federation of Independent
California Black Pastors Association	Business
California Business Roundtable	Nisei Farmers League
California Chamber of Commerce	Santa Barbara County Taxpayers
California Cotton Ginner and Growers	Association
Association	Sustainable Agriculture & Energy of
California Farm Bureau Federation	Monterey County
California Fuels & Convenience Alliance	The Industrial Association of Contra Costa
California Hispanic Chambers of	County
Commerce	Valley Industry and Commerce
California Independent Petroleum	Association
Association	Ventura County Coalition of Labor,
California Manufacturers & Technology	Agriculture and Business
Association	West Ventura County Business Alliance
California Taxpayers Association	Western Agricultural Processors
California Walnut Commission	Association
	Western States Petroleum Association

cc: The Honorable Chris Holden, Chair, Assembly Appropriations Committee
The Honorable Frank Bigelow, Vice-Chair, Assembly Appropriations Committee
Members, Assembly Appropriations Committee
Jay Dickenson, Chief Consultant, Assembly Appropriations Committee
Joe Shinstock, Assembly Republican Consultant