

Subject: Public Hearing Comments

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From: DoNotReply@delaware.gov

To: HearingComments, DNREC (MailBox Resources), kimrobertscovill@yahoo.com

Comments on 2022-R-A-0011: Low Emission Vehicle Program

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Comments:

What is the goal of this proposed regulation? The goal of reducing carbon emissions in the transportation sector is laudable, but the DNREC's proposal will not further that goal for a number of reasons, as noted below. 1) Inadequate supply of ZEVs - The state of DE has no control over the manufacturers of ZEVs and there is no guarantee that any mandate will cause the manufacturers to either produce or make available for sale sufficient vehicles for sale in DE 2) There is no mathematical connection between the "percentage" of vehicles sold and how vehicle purchases operate. For example, what if all the vehicles sold in January of a year are not ZEV's? How do you measure the "percentage" of vehicles sold that the entire year during that same year? You can only measure the sales data AFTER the time period. Therefore, the plan is mathematically impossible. Also, there is no way to assign responsibility for violating the rule since the "buyer" of a non-ZEV would need to have his/her registration take away AFTER it was (somehow) determined that the particular sale did not meet the allowable percentage [how you pick from all such sales on a particular day is also a mystery]. 3) Such a regulation represents an unconstitutional restraint on free trade, both for businesses and individuals. 4) Sales of non-ZEVs would only be driven out of DE into neighboring states and/or out of state leasing entities would provide non-ZEV vehicles to DE drivers and circumvent the regulation. 5) Air quality does not stop at the state boarder. DE has the second lowest total vehicle sales annually in the US. DE is only 1% of the US population. Unless / until all states join in similar initiatives, DE's efforts would be unmeasurable in the overall effort to improve air quality. 6) Impact on federal highway support from the national gasoline tax / loss of state gasoline tax. Approximately 48% of DE's highway programs are funded by federal highway dollars. Those would be in jeopardy if there were no longer contributions from a federal DE gas tax. DE would lose + \$136,000,000 annually from the DE gas sales tax revenue without a substitute revenue source.