

[OBJECTION IN THE ENTIRETY TO] Title 7 Natural Resources and Environmental Control specifically the Draft 1140 Delaware Advanced Clean Car Program

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Fri 12/30/2022 11:47 AM

To: Krall, Kyle (DNREC) <Kyle.Krall@delaware.gov>

Mr. Krall,

In response to Governor Carney's initiative to direct DNREC to create an ill-advised Advanced Clean Car Program, I wish to formally register my complete and total objection as follows;

- This matter is a public policy matter that per the Delaware Constitution, requires public consent via a formal vote by eligible and registered voters
- While the governor office is an elected position, DNREC leadership are appointed by the governor and thus policy setting by such an entity without significant and substantial public input is a violation of Delaware law. The process undertaken by DNREC relative to this matter is substantially discouraging the ease of such public input
- Relative to the 12-02-22 draft of 1140 Delaware Advanced Clean Car Program, I offer only a subset of my total and complete objection to the draft (and keystroke draft edits)
 - para 1.1 incorporated only by reference **but compels Delaware to adhere** to the requirements of California LEV and Advance Clean Car Program. Further, any and all California generated updates and modification likewise are compelled upon all Delawareans.
 - para 1.2 **retroactively** compels this legislation upon the owners of all private vehicles 2014 who can no longer sell their privately purchased vehicles to other Delawareans. Simply stated, it is totally illegal to prohibit the free and fair trade of legally purchased merchandise by a governmental entity.
 - para 2.1 embodies the illegal restrictions as cited in para's 1.1 & 1.2 and thus require deletion in their entirety
 - para 3.0 there are so many undefined terms and missing definitions that this document is a disgrace and an insult to the intelligence of the Delaware public. My suggestion is to hire a lawyer and an English major to draft a mindful and complete document
 - para 4.0 again calls for Delaware to adhere to a California program, to details of which are not (a) cited by reference number nor (b) provided in full text form so that the public may examine and adhere to the stated requirements
 - para 5.1 makes reference retroactively to model year 2014 and later thereby prohibiting the sale of vehicles in Delaware to Delawareans, again a violation of law against free, open and trade
 - para 5.2 while at least is forward looking to 2027, it nonetheless severely restricts free trade within Delaware and will only serve to force Delawareans out of state to purchase vehicles of THEIR own choosing, not of the Delaware government's choosing.
 - para 6.0 in its entirety will severely restrict trade and commerce thus driving the sale and associated tax revenue from Delaware to another state that does not impose such overly restrictive commerce.
 - para's 10.0, 11.0 & 12.0 make summary reference to California and other documents, the text of which is not being made to Delaware residents that are hosted on Delaware government systems which are actively managed by Delaware Government officials in accordance with this draft 1140 document. This is a complete, total and lazy way to (a) do business and (b) manage a state (DE) independent from the governance of another state (CA) to which Delaware ceded its

