



March 19, 2024

Maine State Legislature, Joint Committee on Environment and Natural Resources
Cross Building, Room 216
Augusta, ME 04333

Testimony in Opposition of L.D. 2261, An Act Designating New Motor Vehicle Emissions
Rules as Major Substantive Rules

Dear Chair Gramlich and Members of the Joint Standing Committee on Environment and
Natural Resources:

My name is Lance Boucher and I am the Assistant Vice President, State Public Policy for
the American Lung Association working out of our Augusta office. The American Lung
Association is the oldest voluntary public health association in the United States, currently
representing the more than 34 million Americans living with lung diseases, including more
than 1,600 living with lung cancer in Maine. The organization works to save lives by
improving lung health and preventing lung disease through research, education and
advocacy. Thank you for the opportunity to submit testimony in opposition L.D. 2261.

The American Lung Association strongly opposes [L.D. 2261](#), which adds unprecedented
procedural delays to the adoption of tailpipe pollution emission standards in Maine. The
delays created through this regulation would defer and dull critical air quality benefits
provided through best-practice air quality standards set in Advanced Clean Cars II,
Advanced Clean Trucks, and other future regulatory standards that would reduce pollution
from motor vehicles.

Classifying all future motor vehicles air quality standards as ‘major substantive rules’ would
meddle in the state’s routine updates to vehicle air pollution standards, resulting in
unprecedented delays in air quality improvements. The Maine legislature granted the Dept.
Of Environmental Protection (DEP) the authority to adopt vehicle emission pollution
standards 30 years ago,¹ which allowed DEP to flexibly and iteratively adopt new tailpipe

¹ [38 M.R.S. § 585-D](#)



emission standards in 1993 and 2012, as new opportunities and standards emerged. This legislation would break this 30-year authority granted to DEP to improve air quality and public health and would retroactively obstruct DEP's ongoing rulemaking for Advanced Clean Cars II standards.

Transportation continues to be a leading source of harmful air and climate emissions in Maine. The American Lung Association's "[State of the Air](#)" 2023 report found that Maine received a "C" Grade for high ozone or particulate pollution four counties. Maine is home to 159,737 adults and children living with asthma who face greater risk and need stronger protection against harmful ozone ("smog") and particle ("soot") pollutants. Air pollution can cause health emergencies including asthma attacks, heart attacks, and other lung and cardiovascular diseases.

Maintaining DEP's authority to update motor vehicle emission standards provides direct benefits to Maine and is popular among voters. The American Lung Association "[Zeroing in on Healthy Air](#)" report found that policies supporting a transition to zero-emission transportation powered by a clean electric grid in Maine could generate \$4.5 billion in public health benefits, 5,870 avoided asthma attacks, and 31,000 avoided lost workdays. Additionally, reducing emissions from the transportation sector has large public support. The Lung Association released national [poll results](#) earlier this month that show voters overwhelmingly support the U.S. EPA's efforts to implement stronger limits on carbon pollution from new trucks and buses, with 76% of voters indicating that new limits would have a positive impact on the quality of the air we breathe.

I ask you to oppose this legislation and retain DEP's authority to adopt best-practice, timely regulations for motor vehicle emissions that improve air quality and protect public health in Maine. Thank you for your time and consideration.

Sincerely,

Lance Boucher
Assistant Vice President, State Public Policy
American Lung Association, Maine

