



The State of Maryland

Executive Department

EXECUTIVE ORDER

01.01.2025.10

Ensuring Success with Advanced Clean Cars II and Advanced Clean Trucks in Maryland

- WHEREAS, In 2023, Maryland adopted the Advanced Clean Cars II (ACC II) and Advanced Clean Trucks (ACT) regulations, which were established by the California Air Resources Board (CARB), pursuant to Section 177 of the federal Clean Air Act;
- WHEREAS, ACC II and ACT aim to reduce motor vehicle emissions of criteria pollutants and greenhouse gases in order to protect public health and the environment, and to help Maryland advance the State's climate goals;
- WHEREAS, Original Equipment Manufacturers (OEMs) in Maryland are concerned about the Zero Emission Vehicle (ZEV) requirements of ACC II and ACT that require manufacturers of passenger cars, light-duty trucks, and medium- and heavy-duty vehicles to produce and deliver for sale an increasing percentage of ZEVs;
- WHEREAS, Although OEMs have numerous compliance flexibilities to meet the ZEV percentage requirements under ACC II and ACT, such as banking, trading, and pooling of credits, OEMs have asserted that the ZEV requirements will be too difficult to meet in Maryland, and there are indications that the policies of the current federal Administration will greatly impact ACC II and ACT compliance, including the effect of trade tariffs on manufacturers;
- WHEREAS, The current federal administration has held back state funding for the National Electric Vehicle Infrastructure Program (NEVI); and

WHEREAS,

The Moore-Miller Administration remains committed to successful implementation of the State's clean car and truck programs, but recognizes that temporary short-term measures are necessary to ensure the programs' long-term success, including maximizing near-term enforcement discretion to ease compliance by OEMs and establishing a working group to study and make recommendations on how the ACC II and ACT programs can be successfully implemented in Maryland.

NOW, THEREFORE,

I, WES MOORE, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. Enforcement Discretion.** The Maryland Department of the Environment shall work with OEMs to ease the burdens created by the current federal Administration on ACC II and ACT compliance, including by, but not limited to, the following:
- (1) Maximizing the Department's use of enforcement discretion as necessary and appropriate to ease compliance with ACC II and ACT standards, including:
 - (a) For the ACT standards, declining to pursue penalties associated with any ZEV delivery or sales shortfalls for Model Year 2027, and declining to pursue penalties for shortfalls in Model Year 2028 unless the Department publishes the Needs Assessment and Deployment Plan required by the Clean Trucks Act of 2023 by December 1, 2025;
 - (b) For the ACC II standards, declining to pursue penalties associated with any ZEV delivery shortfalls for Model Year 2027 and Model Year 2028 unless the Department is carrying out voluntary agreements with OEMs collectively representing at least 40% of the State's market share for passenger car and light truck vehicles subject to ACC II; and
 - (c) Discretion to decline the application of enforcement provisions under ACT and ACC II associated with any ZEV delivery shortfalls for Model Year 2027 and Model year 2028;

- (2) Making any regulatory changes permitted by the Clean Air Act to ease any compliance burdens caused by changes in federal policy; and
- (3) Continuing to work with CARB and other states that adopted CARB regulations under Section 177 to counter the harmful impacts of the current federal administration's policies.

B. Establishment. There is hereby established a Maryland ACC II and ACT Working Group ("Working Group").

C. Purpose. The Working Group shall develop recommendations for how the ACC II and ACT programs can be successfully implemented in Maryland.

D. Membership. The Working Group shall consist of no more than 15 members including:

- (1) The Secretary of the Environment, or the Secretary's designee;
- (2) The Secretary of Transportation, or the Secretary's designee;
- (3) The Chief Sustainability Officer;
- (4) One member of the Senate of Maryland, appointed by the President of the Senate;
- (5) One member of the House of Delegates, appointed by the Speaker of the House;
- (6) One representative from OEMs, appointed by the Governor;
- (7) One representative from the Maryland Automobile Dealers Association, appointed by the Governor;
- (8) One representative from the Maryland Truck Association, appointed by the Governor;
- (9) Three representatives from Maryland environmental organizations, appointed by the Governor; and
- (10) Additional members appointed at the discretion of the Governor.

E. Chair. The Governor, or the Governor's designee, shall Chair the Working Group.

F. Meetings of the Working Group.

- (1) The Working Group shall meet as often as its duties require, but no less than monthly.
- (2) The Chair may convene meetings of the Working Group and shall preside over the meetings.
- (3) The Working Group may establish ad hoc committees that meet in between the Working Group's official monthly meetings.

G. Reporting. The Working Group shall submit a final report detailing its findings and recommendations to the Governor and General Assembly by December 31, 2025.

H. Administration.

- (1) The Department of the Environment shall provide staff for the Working Group.
- (2) Members of the Working Group may not receive any compensation for their services, but may be reimbursed for their reasonable expenses incurred in the performance of duties in accordance with the State Standard Travel Regulations and as provided in the State budget.

I. Implementation. This Executive Order shall be implemented in a manner that is consistent with all applicable statutes and regulations. Nothing in this Executive Order shall operate to contravene any State or federal law or to affect the State's receipt of federal funding.

GIVEN Under My Hand and the Great Seal of the State of Maryland, the City of Annapolis, this 4th day of April, 2025.



Wes Moore
Governor

ATTEST:



Susan C. Lee
Secretary of State

