

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

CONCISE EXPLANATORY STATEMENT

AGENCY: Department of Environmental Management

DIVISION: Office of Air Resources

RULE IDENTIFIER: 250-RICR-120-05-37

RULE TITLE: Part 37 “Rhode Island’s Low-Emission Vehicle Program”

REASON FOR RULEMAKING: The purpose of this regulation is to specify the requirements for Rhode Island's Low Emission Vehicle Program. The Department of Environmental Management (DEM) is proposing to amend the passenger vehicle greenhouse gas (GHG) provisions to comply with the Clean Air Act section 177 “identity” provisions which require Rhode Island to remain identical to the California program.

As a result of the California Air Resources Board’s approval on September 28, 2018, of Resolution 19-35 to amend Title 13 of the California Code of Regulations Section 1961.2 and 1961.3 (which sections also apply to vehicles sold in Rhode Island), compliance with federal greenhouse gas standards for 2021 through 2025 model year passenger cars, light-duty trucks, and medium-duty passenger vehicles will not constitute compliance with the Rhode Island Low Emission Vehicle Program rules if the federal standards are altered by a final rule published in the Federal Register after October 25, 2016.

ANY FINDING REQUIRED BY LAW AS A PREREQUISITE TO THE

EFFECTIVENESS OF THE RULE: not applicable

TESTIMONY AND COMMENTS: There were no comments received.

CHANGE TO TEXT OF THE RULE: There were no changes to the rule as a result of comments received.

REGULATORY ANALYSIS: The proposed revisions are necessary to update the regulation to ensure consistency with California standards and do not impose any new requirements on regulated entities including any small businesses or any city or town; therefore, there is no adverse economic impact.

DATE THE FINAL RULE WAS SIGNED BY THE AGENCY HEAD: