

**RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING**

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Title of Rule: Rhode Island's Low-Emission Vehicle Program

Rule Identifier: 250-RICR-120-05-37

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: 05/20/2019

End of Public Comment: 06/20/2019

Authority for this Rulemaking:

R.I. Gen. Laws § 42-17.1-2(19)

R.I. Gen. Laws Chapter 23-23

R.I. Gen. Laws Chapter 42-35

42 U.S.C. § 7543

42 U.S.C. § 7507

Summary of Rulemaking Action:

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.

Although R.I. Gen. Laws § 42-35-2.8, require that an oral hearing be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members, an oral hearing will be granted if requested by one (1) or more persons during the public comment period.

Additional Information and Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until June 20, 2019 by contacting the appropriate party at the address listed below:

Allison Archambault
Department of Environmental Management
235 Promenade Street
Providence, RI 02908
allison.archambault@dem.ri.gov

In accordance with R.I. Gen. Laws § 42-35-2.8, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

Regulatory Analysis Summary and Supporting Documentation:

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.

A fact sheet that more fully describes the proposed revision to the regulation as well as copies of the proposed, revised regulation is available under Proposed Regulations on the Department's website (<http://www.dem.ri.gov/documents/regulations/>).

For full regulatory analysis or supporting documentation see agency contact person above.