

HOUSE JOINT MEMORIAL 15

53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY

Nathan P. Small

Pursuant to House Rule 24-1, this document incorporates amendments that have been adopted prior to consideration of this measure by the House. It is a tool to show the amendments in context and is not to be used for the purpose of amendments.

A JOINT MEMORIAL

REQUESTING THAT THE DEPARTMENT OF ENVIRONMENT USE HENRC→A  
PORTION OF←HENRC THE MONEY ALLOCATED TO NEW MEXICO PURSUANT TO  
THE CONSENT DECREE IN THE VOLKSWAGEN "CLEAN DIESEL" LITIGATION  
TO DEPLOY A LIGHT DUTY ZERO EMISSION VEHICLE CHARGING NETWORK  
HENRC→~~AND TO REPLACE MEDIUM AND HEAVY DUTY VEHICLES WITH  
ELECTRIC VEHICLES, WITH PRIORITY GIVEN TO PROJECTS THAT  
ELECTRIFY TRANSIT SYSTEMS.~~ .←HENRC

WHEREAS, Volkswagen AG, Audi AG, Volkswagen group of  
America, incorporated, and Volkswagen group of America

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Chattanooga operations, limited liability company (together "Volkswagen") have admitted that their diesel vehicles in model years 2009 to 2016 employed software purposely designed to defeat United States environmental protection agency emissions test procedures; and

WHEREAS, Volkswagen's software enabled the vehicles to emit oxides of nitrogen under normal driving conditions in amounts that exceed United States environmental protection agency compliance levels; and

WHEREAS, oxides of nitrogen emissions are responsible for increased ozone and nitrogen dioxide levels in the atmosphere, both of which are included in United States environmental protection agency national ambient air quality standards as air pollutants considered harmful to public health and the environment; and

WHEREAS, oxides of nitrogen emissions are also responsible for increased nitrous oxide levels in the atmosphere that are a contributor to increased ozone levels, and fossil fuel transportation emissions are also a major contributor to greenhouse gas emissions, and the most recent study by the department of environment, dated December 9, 2016, showed that, for the period of 2010 to 2013, transportation contributed seventeen percent of greenhouse gases in New Mexico; and

WHEREAS, Volkswagen entered into a partial consent decree with the United States department of justice whereby New Mexico

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is eligible to receive approximately eighteen million dollars (\$18,000,000) to implement projects that reduce oxides of nitrogen emissions; and

HENRC→~~WHEREAS, eligible projects include projects that reduce oxides of nitrogen emissions in freight trucks, school, shuttle or transit buses; ferries and tugs; forklifts; electric or hydrogen vehicle charging stations; and airport ground support equipment; and~~←HENRC

HENRC→WHEREAS, pursuant to the partial consent decree, a state may use up to fifteen percent of the money allocated to it to deploy a light duty zero emission vehicle charging network; and←HENRC

WHEREAS, eligible projects will be implemented through a group of New Mexico partner agencies led by the department of environment, including the department of transportation; the energy, minerals and natural resources department; and the public education department; HENRC→and←HENRC

HENRC→~~WHEREAS, transit electrification provides the most air quality benefits because of the high mileage of transit buses, and electric buses reduce oxides of nitrogen emissions by eighty-eight percent compared to new diesel buses and by eighty-six percent compared to new compressed natural gas buses, thus offering the highest level of benefits of any eligible project type;~~←HENRC

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE

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STATE OF NEW MEXICO that the department of environment; the department of transportation; the energy, minerals and natural resources department; and the public education department be requested to HENRC→~~consider using~~ use←HENRC fifteen percent of the money allocated to New Mexico pursuant to the consent decree in *In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation* to deploy a light duty zero emission vehicle charging network across the state HENRC→~~and that the remainder of the money be used to replace medium and heavy duty diesel vehicles with electric vehicles, with priority given to projects that electrify transit systems~~←HENRC; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the governor; the secretary of environment; the secretary of transportation; the secretary of energy, minerals and natural resources; and the secretary of public education.