

LFC Requestor: Self Assigned

2024 LEGISLATIVE SESSION
AGENCY BILL ANALYSIS

Section I: General

Chamber: House

Category: Bill

Number: 76

Type: Introduced

Date (of THIS analysis): 1/17/2024

Sponsor(s): James G. Townsend, Larry R. Scott, Rod Montoya, and Randall T. Pettigrew

Short Title: Restrict Zero-Emission Vehicle Rules

Reviewing Agency: Agency 665 - Department of Health

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Section II: Fiscal Impact

APPROPRIATION (dollars in thousands)

Appropriation Contained		Recurring or Nonrecurring	Fund Affected
FY 24	FY 25		
\$0	\$0	N/A	N/A

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY 24	FY 25	FY 26		
\$0	\$0	\$0	N/A	N/A

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY 24	FY 25	FY 26	3 Year Total Cost	Recurring or Non-recurring	Fund Affected
Total	\$0	\$0	\$0	\$0	N/A	N/A

Section III: Relationship to other legislation

Duplicates: None

Conflicts with: None

Companion to: None

Relates to: None

Duplicates/Relates to an Appropriation in the General Appropriation Act: None

Section IV: Narrative

1. BILL SUMMARY

a) Synopsis

House Bill 76 (HB76) proposes to eliminate the requirement of automotive manufacturers to produce or deliver for sale a certain percentage of zero-emission vehicles for a model year to control motor vehicle emissions or for any other lawful purpose.

Is this an amendment or substitution? Yes No

Is there an emergency clause? Yes No

b) Significant Issues

- HB76 could contribute to an increase in the overall vehicle emissions in New Mexico, thereby impacting outdoor air quality which can have adverse health outcomes.
- The American Lung Association reports (<https://www.lung.org/getmedia/9e9947ea-d4a6-476c-9c78-cccf7d49ffe2/ala-driving-to-clean-air-report.pdf>) that the transition to zero-emission vehicles from 2020-2050 would result in up to:
 - \$978 billion in public health benefits
 - 89,300 fewer premature deaths
 - 2.2 million fewer asthma attacks
 - 10.7 million fewer lost workdays
- The proposal will remove the authority of the Environmental Improvement Board of the New Mexico Environment Department to adopt or continue requiring manufacturers to produce or deliver certain percentage of zero-emission vehicles.

2. PERFORMANCE IMPLICATIONS

- Does this bill impact the current delivery of NMDOH services or operations?

Yes No

- Is this proposal related to the NMDOH Strategic Plan? Yes No

Goal 1: We expand equitable access to services for all New Mexicans

Goal 2: We ensure safety in New Mexico healthcare environments

Goal 3: We improve health status for all New Mexicans

Goal 4: We support each other by promoting an environment of mutual respect, trust, open communication, and needed resources for staff to serve New Mexicans and to grow and reach their professional goals

3. FISCAL IMPLICATIONS

- If there is an appropriation, is it included in the Executive Budget Request?

Yes No N/A

- If there is an appropriation, is it included in the LFC Budget Request?

Yes No N/A

- Does this bill have a fiscal impact on NMDOH? Yes No

4. ADMINISTRATIVE IMPLICATIONS

Will this bill have an administrative impact on NMDOH? Yes No

5. DUPLICATION, CONFLICT, COMPANIONSHIP OR RELATIONSHIP

None

6. TECHNICAL ISSUES

Are there technical issues with the bill? Yes No

7. LEGAL/REGULATORY ISSUES (OTHER SUBSTANTIVE ISSUES)

- Will administrative rules need to be updated or new rules written? Yes No

- Have there been changes in federal/state/local laws and regulations that make this legislation necessary (or unnecessary)? Yes No

- Does this bill conflict with federal grant requirements or associated regulations?

Yes No

- Are there any legal problems or conflicts with existing laws, regulations, policies, or programs? Yes No

There would be conflict with the New Mexico Clean Car Rule which allows California's Advanced Clean Cars rule to be implemented statewide in New Mexico. There is also conflict with the Biden Administration's Federal Sustainability Plan that aims to have 100% Zero-Emission Vehicle Acquisitions by 2035.

8. DISPARITIES ISSUES

- HB76 could have a negative impact on outdoor air quality if the production of zero-emission vehicles is reduced. This particularly affects vulnerable populations (lower-income communities and people of color) who live near central cities and close to busy roadways resulting from exposure to increase in particulate matter (PM2.5). According to the American Lung Association more than 4 in 10 of all Americans still live in a community impacted by unhealthy levels of air pollution. Those impacted by polluted air face increased risk of a wide range of poor health outcomes. ([Disparities in the Impact of Air Pollution | American Lung Association](#)).

9. HEALTH IMPACT(S)

- This bill would impact all New Mexico residents.
- The American Lung Association projects that nationwide healthcare costs will be significantly reduced with increased zero-emission vehicles on the road, also saving billions of dollars in healthcare costs.
- The bill may affect public health by reducing the number of zero-emission vehicles available. A reduction in zero-emission vehicles available will increase the number of carbon fueled vehicles on NM roads, thus affecting NM's overall outdoor air quality.

10. ALTERNATIVES

None

11. WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

If HB76 is not enacted, the adoption of certain rules relating to the production and delivery for sale of zero-emission vehicles will not be prohibited.

12. AMENDMENTS

None