

Massachusetts poised to ban new gasoline-powered vehicles by 2035

By Matt Murphy

State House News Service

In the wake of the Biden administration restoring California's authority to set vehicle emission standards more stringent than federal rules, Massachusetts is poised to follow that state into a ban on new gasoline-powered vehicles by 2035, potentially setting the stage for the next big fight over how to meet state climate goals.

Massachusetts is one of 16 states that tie themselves to California's vehicle emission standards, a policy first adopted in 1991 under the Massachusetts Clean Air Act that ensures the state has among the most stringent anti-pollution regulations on new cars and trucks in the country.

California Gov. Gavin Newsom in 2020 signed an executive order directing state regulators to mandate the sale of only zero-emission vehicles by 2035, and Baker included the policy in his 2050 Decarbonization Roadmap published in December 2020.

"So the commitment for the state of Massachusetts that we will ban sales of internal combustion engines by 2035 is a commitment to which we are wedded," Energy and Environmental Affairs Secretary Kathleen Theoharides said last month during a hearing of the Senate Committee on Global Warming and Climate Change.

That position is now being targeted by a coalition of free-market think tanks and advocacy organizations, led locally by the Massachusetts Fiscal Alliance, who believe the state should decouple itself from California.

“For us in Massachusetts, MassFiscal and (Citizens for Limited Taxation) are going to fight pretty hard to make sure motorists have choices and the free market dictates what people want instead of the governor of California,” said Fiscal Alliance spokesman Paul Craney.

Craney helped organize a conference call Thursday with groups representing the six New England states, excluding New Hampshire, who have laws tying their vehicle emission standards to California, describing it as the next big battleground after many of the same groups helped successfully build opposition to the now defunct regional Transportation Climate Initiative. TCI would have attempted to reduce carbon emissions from cars and trucks by putting a declining cap on emissions in participating states.

The new coalition, consisting of 29 groups in 15 of the 16 states tied to California, is looking to spread awareness with the public, media and legislators of what is about to happen in a little more than a decade.

“Citizens don’t support autopilot laws,” said Chip Ford, executive director of Citizens for Limited Taxation, adding, “We’re hoping that we can bring accountability back to any of these laws, especially something as radical as this, banning internal combustion engines.”

The Executive Office of Energy and Environmental Affairs did not respond to requests for comment.

The 1970 federal Clean Air Act required states to adhere to federal vehicle emission standards, but granted a waiver to California to set its own rules to deal with smog as long as they were more stringent than the federal standards. Other states were allowed to sign on to either the federal rules or those set by California.

While President Donald Trump rescinded the waiver allowing California to set its own rules, the Environmental Protection

Agency on Wednesday restored that authority and with it the rights of states to follow California's lead when it comes to regulating tailpipe emissions.

Nick Murray, of the Maine Policy Institute, said continuing to follow California will put a "substantial economic burden on low- and middle-income Mainers." He also questioned whether the electric grid in New England could handle the demand that would be required for a full transition to electric vehicles by 2035.

"Following California regulations is simply not feasible," Murray said.

Meg Hansen, president of Ethan Allen Institute in Vermont, predicted that a ban on gasoline-powered vehicles would fail in rural states like hers where public transit is not an option and zero-emission technology is "not affordable or readily available."

"Vermont is not a colony of California," Hansen said. "It is anti-democratic and irrational for Vermont lawmakers to cede regulatory authority over our standards to another state."

Christian Herb, president of the Connecticut Energy Marketers Association, said the California Air Resources Board has begun the regulatory process to implement Newsom's executive order and opponents like his organization plan to participate in those proceedings.

More recently in Massachusetts, the Department of Environmental Protection in January developed emergency regulations to immediately adopt California's Advanced Clean Trucks (ACT) policy, which requires an increasing percentage of trucks sold between model year 2025 and model year 2035 to be zero-emissions vehicles.

The Baker administration has said that in order to reduce emissions by 45 percent below 1990 levels by 2030 the state

would need about 1 million of the 5.5 million passenger vehicles projected to be registered in the commonwealth to be zero-emission vehicles, a huge leap from the roughly 36,000 on the road as of January 2021.