



January 30, 2025
House Committee on Climate, Energy, and Environment
900 Court St. NE,
Salem, Oregon 97301

RE: House Bill 3119, Advanced Clean Trucks (ACT) Rules Delay

Chair Lively, Vice-Chairs Gamba and Levy, Members of the House Committee on Energy and Environment,

The Oregon Association of County Engineers and Surveyors (OACES), an affiliate of the Association of Oregon Counties (AOC), represents Oregon's 36 county public works agencies and road departments across the state. County roads are a critical component of Oregon's integrated road system and are responsible for over 60% of Oregon's non-federal road network, over 32,000 total miles, and 3,400 bridges.

County road officials support the effort to protect clean air and reduce emissions within the transportation sector, including heavy-duty trucks, and thus acknowledge the rationale behind the Advanced Clean Trucks (ACT) Rule. OACES is currently neutral on House Bill 3119 as written. With that said, OACES has some substantial concerns with moving forward with the ACT Rule now and urges the committee to give strong consideration to delaying implementation. A delay could be extremely beneficial to provide additional time to evaluate the fiscal impacts of scheduled equipment replacement versus availability. Considering the costs of replacing medium and heavy-duty equipment, budget preparations often need to be made years in advance and remain subject to unexpected contingencies. It is also becoming more frequent that equipment is not received within the same fiscal year that it is ordered, which itself can impact planned construction and or maintenance projects, thus potentially jeopardizing their funding.

As one recent example, a 10-yard dump truck in a county fleet incurred a failure that was determined to be too cost-prohibitive to fix and the decision was made to move the vehicle up in the replacement schedule. Unfortunately, upon contacting several vendors they were informed that none of them could commit to delivering a new dump truck in the following year until they sold a certain number of zero-emission dump trucks. They were advised that if an opportunity arose the vendor would notify the county, but that they would likely need to quickly "jump on it" to secure an equipment delivery.

Unfortunately, local agencies rarely have the discretion "to jump on it" when it comes to spending, especially with large purchases that can range up to \$400,000 or more. In most cases, county road departments are in no position either financially or logistically to begin converting their heavy equipment fleet to zero-emission vehicles, and if the ACT Rule stays in effect, may not be able to replace the equipment that they have spent years planning for. The worst-case scenario would be to force operators to extend the use of older dirtier burning diesel vehicles due to the lack of availability. By delaying the implementation, we will be able to bring on newer

California Air Resources Board (CARB) certified cleaner diesel vehicles yielding an overall reduction in emissions for the region.

County road departments play a key role in managing Oregon's heavy-duty trucks' impact on clean air and emissions and are grateful to be included in the discussion. We hope to have the opportunity for more in-depth conversations going forward.

Thank you for the opportunity to provide comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Mikel Diwan". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mikel Diwan
President, Oregon Association of County Engineers and Surveyors
Public Works Director, Lincoln County