



Brad Farrin
Senator, District 3

131st MAINE SENATE

3 State House Station
Augusta, ME 04333

**Testimony of Senator Brad Farrin
In Support of L.D. 2261, An Act Designating New
Motor Vehicle Emissions Rules as Major Substantive Rules
Before the Environment and Natural Resources Committee
March 20, 2024**

Senator Brenner, Representative Gramlich, and members of the Joint Standing Committee on Environment and Natural Resources: I am Senator Brad Farrin and I have the honor of representing the people of Senate District 3, which includes towns in Kennebec, Somerset and Penobscot counties. I am before you today to speak in strong support of L.D. 2261, *An Act Designating New Motor Vehicle Emissions Rules as Major Substantive Rules*.

When 150 environmental activists petitioned the Maine Board of Environmental Protection (BEP) to consider adopting the Advanced Cleans Cars Program or “California rule,” their maneuver to bypass the Legislature was a deliberate and obvious attempt to force their progressive climate agenda upon Maine consumers. And their strategy was, and still is, forcing Mainers to buy electric vehicles, or EVs, by limiting the sale of gas-powered ones.

When Republican legislative leaders sent a letter to BEP board members asking them to reject this mandate, we outlined a host of problems that would result in limiting consumers from buying the vehicle they want. Forcing consumers to purchase a certain kind of car by limiting their choices is no way to govern. 81% of the people who testified against this new rule during its public hearing agreed.

There are several reasons for this. First, Maine is a challenging environment when it comes to our rural geography and frigid temperatures, the latter of which can rob batteries of half their power when the thermometer hits zero. And since many of us drive long distances to work or shop, Mainers are naturally wary of the shorter range of EVs and a charging infrastructure with large gaps across the state.

Many Mainers have also shared concerns that they simply can’t afford the higher prices of EVs or the related higher repair and insurance costs. And while electricity rates have dropped slightly, they’re still above 70% higher than just two years ago. Mainers are struggling as is without forcing higher vehicle costs upon them.

I need to say that I am not opposed to EVs. I serve on the Transportation Committee and we realized some time ago that EVs are a growing part of Maine’s future. That’s why we decided to move away from gas taxes as the sole source of income for our highway budget. It is growing naturally, but not as fast as these activists want to force it upon us.

I strongly support this bill because of all my prior points, but most importantly because this bill will prevent a group of 150 unelected officials from bypassing the legislature and forcing unwanted rules and regulations on the vast majority of citizens in Maine by making these rules Major Substantive Rules, which are, according to the Maine Legislature's website:

“Rules that, in the judgment of the Legislature:

- (1) Require the exercise of significant agency discretion or interpretation in drafting; or
- (2) Because of their subject matter or anticipated impact, are reasonably expected to result in a significant increase in the cost of doing business, a significant reduction in property values, the loss or significant reduction of government benefits or services, the imposition of state mandates on units of local government as defined in the Constitution of Maine, Article IX, Section 21, or other serious burdens on the public or units of local government.”

This shows that by definition, the Advanced Clean Cars program being pushed onto our State unquestionably falls under major substantive rules and should be addressed as so. I hope you all will also support this bill which will correctly identify this program and put it before the legislature. Thank you.