



15 August 2023

(23-5511)

Page: 1/2

Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

Revision

The following notification is being circulated in accordance with Article 10.6.

1. Notifying Member: <u>UNITED STATES OF AMERICA</u> If applicable, name of local government involved (Articles 3.2 and 7.2): State of Rhode Island
2. Agency responsible: Department of Environmental Management, State of Rhode Island Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: Please submit comments to: USA WTO TBT Enquiry Point, Email: usatbtep@nist.gov
3. Notified under Article 2.9.2 [], 2.10.1 [], 5.6.2 [], 5.7.1 [], 3.2 [X], 7.2 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Vehicle emissions; Environmental protection (ICS code(s): 13.020); Air quality (ICS code(s): 13.040); Road vehicles in general (ICS code(s): 43.020)
5. Title, number of pages and language(s) of the notified document: Proposed Amendments to Air Pollution Control Regulation No. 37 Rhode Island's Low Emission Vehicle Program; (29 page(s), in English)
6. Description of content: Proposed amendment - The purpose of this rule is to adopt or amend key regulations that reduce greenhouse gas and criteria pollutant emissions from passenger cars, light-duty trucks, and medium- and heavy-duty vehicles that are delivered for sale or placed in service in Rhode Island. Rhode Island has previously adopted California's emissions standards for passenger cars and trucks and, with this rulemaking, would further opt-in to California's standards by amending 250-RICR-120-05-37 to include new standards for medium- and heavy-duty vehicles. This suite of rules includes the adoption of California's Advanced Clean Trucks Rule , the Low NOx Heavy-Duty Omnibus Rule , and the Phase 2 Greenhouse Gas Rule , and amendments to California's Advanced Clean Cars program which was previously adopted in Rhode Island and incorporates previously adopted rules to control criteria and GHG emissions. The regulation applies to light-duty, medium- and heavy-duty engine/vehicle manufacturers. The Advanced Clean Trucks Rule (ACT) requires the sale of at least 30% zero-emission trucks by 2030 (depending on vehicle classification). The Low NOx Heavy-Duty Vehicle Omnibus Rule (HD Omnibus) requires a 90% reduction in NOx emissions for model year (MY) 2027 engines. The Phase 2 Greenhouse Gas Rule (Phase 2 GHG) sets greenhouse gas emission standards for heavy-duty trucks and truck trailers. Advanced

<p>Clean Cars II (ACCII) (G/TBT/N/USA/1860) requires that all passenger car and light-duty truck vehicles delivered for sale by 2035 meet the definition of zero-emission vehicle and will further reduce smog-forming and GHG emissions from new internal combustion engine vehicles (ICEVs).</p>
<p>7. Objective and rationale, including the nature of urgent problems where applicable: Protection of the environment</p>
<p>8. Relevant documents: Rhode Island's Low-Emission Vehicle Program 250-RICR-120-05-37: https://rules.sos.ri.gov/Promulgations/Part/250-120-05-37 WTO Members and their stakeholders are asked to submit comments to the USA TBT Enquiry Point by or before 4pm Eastern Time on 8 September 2023. Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders will be shared with the regulator.</p>
<p>9. Proposed date of adoption: To be determined Proposed date of entry into force: To be determined</p>
<p>10. Final date for comments: 8 September 2023</p>
<p>11. Texts available from: National enquiry point [] or address, telephone or fax numbers and email and website addresses, if available, of other body: https://members.wto.org/crnattachments/2023/TBT/USA/23_11708_00_e.pdf</p>