



Medium Heavy-Duty ZEV Rebate 2024

Advisory Committee Charter

Rulemaking Contact: Gerik Kransky

1/18/2024



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Table of contents

Table of contents.....	iii
Background.....	1
Purpose and Scope.....	1
Fiscal and Economic Impact.....	1
Roles.....	1
DEQ Facilitator.....	1
Committee Members.....	2
Non-Committee Member Attendees.....	2
DEQ Staff.....	2
DEQ Support and Website.....	3
Committee Meetings.....	3
Decision Making.....	4
Membership.....	4
Travel Expenses.....	1
Public Records and Confidentiality.....	1
Information Exchange.....	1
Public Involvement.....	1
DEQ Contacts.....	2

Background

The 2023 Oregon Legislature passed House Bill 3409 authorizing the Oregon Environmental Quality Commission (EQC) to adopt rules to implement a new rebate program supporting the purchase of zero emissions medium and heavy-duty vehicles in Oregon.

HB 3409 provides \$3M in revenue for the new Zero-Emission Medium and Heavy-Duty Vehicle Incentive Fund and authorizes Oregon Department of Environmental Quality (DEQ) to establish a program for providing rebates for the purchase or lease of qualifying vehicles for use in Oregon. DEQ proposes to complete a rulemaking for the rebate program to specify application requirements, rebate allocation criteria, other requirements included statute, and program elements to improve air quality outcomes.

Purpose and Scope

This rulemaking will produce guidelines for the implementation of DEQ's new Medium and Heavy Duty Zero Emissions Vehicle Rebate program. The committee will:

- Help clarify and interpret the goals of the program
- Make recommendations on basic program design
- Consider eligibility and rebate allocation criteria
- Provide comment on rebate processing for consumers and dealers
- Advise on rebate program elements needed in rule versus program guidance

Policy guidance from Oregon Revised Statute will directly inform program rules. Rules may not conflict with statute.

Fiscal and Economic Impact

ORS 183.333 requires that DEQ ask the committee to consider the fiscal and economic impact of the proposed rules including:

- Whether the rules will have a fiscal impact, and if so, what the extent of that impact will be.
- Whether the rules will have a significant adverse impact on small businesses, and if so, how DEQ can reduce the rules' negative fiscal impact on small businesses.

All other topics are out of scope of this committee.

Roles

DEQ Facilitator

The facilitator:

- Encourages open, candid and robust dialogue;
- Starts and ends the meetings and agenda items on time;
- Encourages innovation by listening to all ideas;
- Tries not to lose good ideas to the consensus process; and
- Recognizes when the discussion is outside the scope of the meeting and steers the discussion back to the focus of the meeting.

Committee Members

Advisory committee members must attend each meeting to ensure continuity throughout the process. An alternate may be assigned. However, it is each committee member's responsibility to fully brief their alternate on all relevant issues and prior committee discussions to meet the meeting objectives and keep the project on schedule. The primary and alternate members of the committee cannot participate in the same meeting. If a member's absence is unavoidable, please notify the DEQ project manager.

The committee member:

- Prepares for and sets aside time for the meetings;
- Provides DEQ staff with copies of relevant research and documentation cited during the meeting;
- Stays focused on the specific agenda topics for each meeting;
- Comments constructively and in good faith;
- Consults regularly with constituencies to inform them on the process and gather their input;
- Treats everyone and his or her opinions with respect;
- Allows one person to speak at a time;
- Is courteous by not engaging in sidebar discussions; and
- Avoids representing to the public or media the views of any other committee member or the committee as a whole.

Non-Committee Member Attendees

Those who attend the committee meetings but are not members of the committee are there only to observe and not to actively participate. If non-committee members are present at a meeting, DEQ may allow time during the meeting for their comments.

DEQ Staff

DEQ is committed to making the most effective use of committee member's time by:

- Establishing clear committee goals, meeting objectives and agendas;
- Giving committee members reasonable access to staff;
- Encouraging all members to take part in discussions; and

- Providing a clear description of members’ roles, the committee timeline, the level of agreement expected and feedback on how members’ input is used.

Key staff includes:

- Gerik Kransky, Air Quality Planner
- Rachel Sakata, Transportation Strategies Section Manager
- Erica Timm, Oregon Clean Vehicle Rebate Coordinator
- Rhett Lawrence, Air Quality Analyst

DEQ Support and Website

DEQ will post agenda and meeting materials on the advisory committee website at least one week in advance. DEQ administrative staff will provide meeting summaries that highlight committee discussions, different perspectives and input of committee members. DEQ will not prepare a formal committee report. DEQ will send draft meeting summaries to the advisory committee for review and input. Final meeting minutes will be posted to the advisory committee website and will be part of the public record.

The advisory committee charter, a full roster of the committee, meeting agendas and minutes, and background materials will all be located on the advisory committee webpage.

Committee Meetings

All committee meetings will be:

- open to the public, although the committee can choose whether the public can actively participate in committee meetings
- advertised on DEQ’s webpage calendar two weeks before the meeting at: [DEQ Event Calendar](#)
- noticed by email to the Air Quality Standards GovDelivery list
- noticed on DEQ’s Facebook/Twitter account
- hosted virtually via Zoom or equivalent webinar technology
- accessible via a call-in number

The committee is expected to meet no more than 3 times:

Prelim. Mtg. Dates	Draft Agenda	Draft Outcomes
2/15/2024	Review Background and Key Issues	Input on policy concepts
3/15/2024	Review Draft Rules	Input on rule language
5/15/2024	Review Final Rules	Open public comment

The meeting times and durations above may vary depending on topics and committee progress. Meeting materials and agenda will be posted to the advisory committee webpage.

Decision Making

The committee's discussions will be used by DEQ in forming its draft rule, which will then be proposed for broader public review and comment as part of DEQ's rulemaking process. When DEQ shares information with the group, DEQ will allow a reasonable timeframe for comments.

Membership

In convening this committee, DEQ selected members that reflect the range of stakeholders the proposed rules affect, both directly and indirectly. Representatives should be able to consider the policy, fiscal and economic impact of the proposed standard on the business or organization they represent.

Name	Organization	Sector
Craig Beaver	Beaverton School District	School District
Tom Botherton	CALSTART	Incentive Program Expert
Russell Thomas	City of Newberg	Small City Fleet
Alan Bates	City of Portland	Large City Fleet
Michael Graham	Columbia-Willamette Clean Cities	Fleet Electrification
Meredith Connolly	Climate Solutions	Environmental Group
Sean Waters	Daimler	Truck Manufacturer
Paul Bloom	Fleet Decarbonization Accelerator	ZEV Technical Assistance
Don Emerson	FMI Truck Sales & Service	Truck Dealer
Michael Brown	Iron Oxen	Small Business
Erik Zander	Omega Morgan	Freight Industry
Greg Remensperger	Oregon Auto Dealers Association	Auto Dealers
Brock Dittus	Oregon Department of Education – School Buses	State Agency Ex Officio
Jillian Dimedio	Oregon Department of Transportation	State Agency Ex Officio
Jacqui Treiger	Oregon Environmental Council	Environmental Group
Mark Gibson	Oregon Trucking Association	Trade Association
Keith Edwards	Professional Business Development Group	MWDBE Association
Yusra Farooqi	Sysco	Statewide Business
Keith Wilson	Titan Freight Systems	Trucking Company
Young Park	TriMet	Transit Electrification
Indi Namkoong	Verde	Frontline Communities
Tiffany Bolstad-Cox	Micro Enterprise Services of Oregon	Small Business

Travel Expenses

DEQ can reimburse any in state, out-of-town committee members for travel expenses, if DEQ approves them in advance.

Public Records and Confidentiality

Committee communications and records, such as formal documents, discussion drafts, meeting summaries and exhibits are public records and are available for public inspection and copying. DEQ does not assume responsibility for protecting proprietary or confidential business information shared during committee or subcommittee meetings. However, the private documents of individual committee members generally are not considered public records if DEQ does not have copies.

Information Exchange

Committee members will provide information as much in advance as possible of the meeting at which such information is used. The members will also share all relevant information with each other to the maximum extent possible. If a member believes the relevant information is proprietary in nature, the member will provide a general description of the information and the reason for not providing it.

Public Involvement

All meetings will be open to the public. The committee can choose whether to allow public input during a committee meeting. DEQ may set aside time for the public to speak.

Once the committee process is complete, DEQ will develop draft rules and conduct a public rulemaking process. That process will include a specified period during which the public can submit comments on the proposed rules. DEQ will also hold a public hearing during which any member of the public can submit written or verbal comments. Individual committee members may provide comments to DEQ on the full draft rule at this time. DEQ may modify the final proposed rules based on public comment. DEQ intends to take a final proposed rule to the EQC for consideration at its meeting.

DEQ Contacts

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