EXECUTIVE LEADERSHIP SUMMIT

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NTEA
THE WORK TRUCK ASSOCIATION

State of Emissions:
Understanding the Current Regulatory Landscape & Policy Framework

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Common Truck Policy Acronyms

- CARB or ARB – California Air Resources Board
- EPA – Federal Environmental Protection Agency

- ACT - Advanced Clean Trucks (ZEV mandate on OEMs)
- ACF - Advanced Clean Fleets (ZEV fleet mandate)
- CTP - Clean Truck Partnership
- CTC - Clean Truck Check (HD I/M or ‘smog check’)

- CRA - Congressional Review Act

- EMA - Engine Manufacturers Association
- OEM - Original Equipment Manufacturers

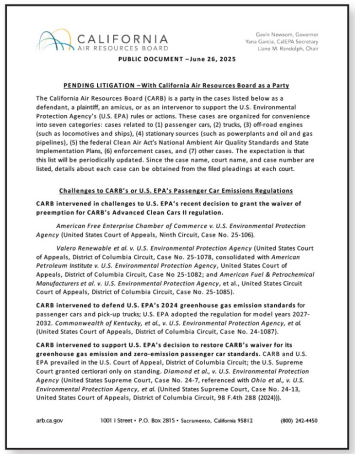
- SIP - State Implementation Plan (Federal Air Quality requirement)

The Shift in Canadian EV Policies

Jurisdiction	Policy/Program	Description	Status
ZEV Sales Mandates			
Federal	Electric Vehicle Availability Standard	Annual ZEV sales targets beginning in MY 2026 to reach 100% sales of new light-duty ZEVs in 2035	**PAUSED** – 2026 requirements (20% LDV sales as ZEVs) cancelled, and 60-day review of the standard initiated (September 2025).
B.C.	Zero-Emission Vehicles Act and Regulations	Annual ZEV sales targets beginning in MY 2026 to reach 100% sales of new light-duty ZEVs in 2035	**IN FORCE** (under review)
Québec	Zero-Emission Vehicle Standard	Automakers accumulate credits by supplying ZEVs/low emission vehicles	**IN FORCE** (with modifications announced)
EV Purchase Incentives			
Federal	Incentives for Zero-Emission Vehicles (iZEV)	Purchase incentive up to $5,000 CAD on eligible light-duty ZEVs	**PAUSED** (January 2025)
B.C.	Go Electric Passenger Vehicle Rebate Program	Financial assistance based on annual income for purchase of eligible light-duty ZEVs	**PAUSED** (May 2025)
Québec	Electric Vehicle Incentive Program (*Roulez vert*)	Financial assistance for purchase of eligible ZEVs and installation of charging stations.	**OPEN** (phasing out)

CARB Court Cases

https://ww2.arb.ca.gov/current-litigation



CALIFORNIA AIR RESOURCES BOARD

Gavin Newsom, Governor
Yana Garcia, Cal/EPA Secretary
Liane M. Randolph, Chair

PUBLIC DOCUMENT –June 26, 2025

PENDING LITIGATION –With California Air Resources Board as a Party

The California Air Resources Board (CARB) is a party in the cases listed below as a defendant, a plaintiff, an amicus, or as an intervenor to support the U.S. Environmental Protection Agency's (U.S. EPA) rules or actions. These cases are organized for convenience into seven categories: cases related to (1) passenger cars, (2) trucks, (3) off-road engines (such as locomotives and ships), (4) stationary sources (such as powerplants and oil and gas pipelines), (5) the federal Clean Air Act's National Ambient Air Quality Standards and State Implementation Plans, (6) enforcement cases, and (7) other cases. The expectation is that this list will be periodically updated. Since the case name, court name, and case number are listed, details about each case can be obtained from the filed pleadings at each court.

Challenges to CARB's or U.S. EPA's Passenger Car Emissions Regulations

CARB intervened in challenges to U.S. EPA's recent decision to grant the waiver of preemption for CARB's Advanced Clean Cars II regulation.

American Free Enterprise Chamber of Commerce v. U.S. Environmental Protection Agency (United States Court of Appeals, Ninth Circuit, Case No. 25-106).

Valero Renewable et al. v. U.S. Environmental Protection Agency (United States Court of Appeals, District of Columbia Circuit, Case No. 25-1078, consolidated with *American Petroleum Institute v. U.S. Environmental Protection Agency*, United States Court of Appeals, District of Columbia Circuit, Case No 25-1082; and *American Fuel & Petrochemical Manufacturers et al. v. U.S. Environmental Protection Agency*, et al., United States Circuit Court of Appeals, District of Columbia Circuit, Case No. 25-1085).

CARB intervened to defend U.S. EPA's 2024 greenhouse gas emission standards for passenger cars and pick-up trucks; U.S. EPA adopted the regulation for model years 2027-2032. *Commonwealth of Kentucky, et al., v. U.S. Environmental Protection Agency, et al.* (United States Court of Appeals, District of Columbia Circuit, Case No. 24-1087).

CARB intervened to support U.S. EPA's decision to restore CARB's waiver for its greenhouse gas emission and zero-emission passenger car standards. CARB and U.S. EPA prevailed in the U.S. Court of Appeal, District of Columbia Circuit; the U.S. Supreme Court granted certiorari only on standing. *Diamond et al., v. U.S. Environmental Protection Agency* (United States Supreme Court, Case No. 24-7, referenced with *Ohio et al., v. U.S. Environmental Protection Agency, et al.* (United States Supreme Court, Case No. 24-13, United States Court of Appeals, District of Columbia Circuit, 98 F.4th 288 (2024)).

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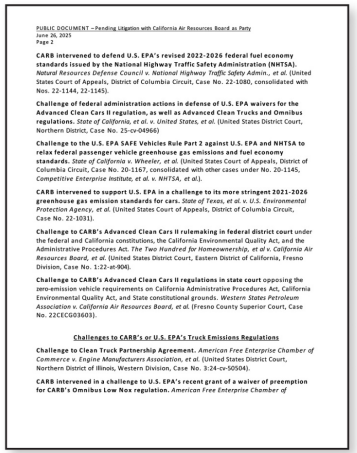

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CARB intervened to defend U.S. EPA's revised 2022-2026 federal fuel economy standards issued by the National Highway Traffic Safety Administration (NHTSA). *Natural Resources Defense Council v. National Highway Traffic Safety Admin., et al.* (United States Court of Appeals, District of Columbia Circuit, Case No. 22-1080, consolidated with Nos. 22-1144, 22-1145).

Challenge of federal administration actions in defense of U.S. EPA waivers for the Advanced Clean Cars II regulation, as well as Advanced Clean Trucks and Omnibus regulations. *State of California, et al. v. United States, et al.* (United States District Court, Northern District, Case No. 25-cv-04966)

Challenge to the U.S. EPA SAFE Vehicles Rule Part 2 against U.S. EPA and NHTSA to relax federal passenger vehicle greenhouse gas emissions and fuel economy standards. *State of California v. Wheeler, et al.* (United States Court of Appeals, District of Columbia Circuit, Case No. 20-1167, consolidated with other cases under No. 20-1145, *Competitive Enterprise Institute, et al. v. NHTSA, et al.*).

CARB intervened to support U.S. EPA in a challenge to its more stringent 2021-2026 greenhouse gas emission standards for cars. *State of Texas, et al. v. U.S. Environmental Protection Agency, et al.* (United States Court of Appeals, District of Columbia Circuit, Case No. 22-1031).

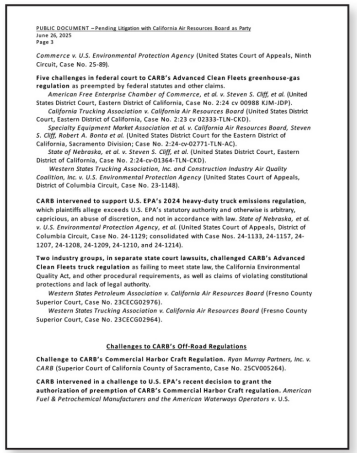
Challenge to CARB's Advanced Clean Cars II rulemaking in federal district court under the federal and California constitutions, the California Environmental Quality Act, and the Administrative Procedures Act. *The Two Hundred for Homeownership, et al v. California Air Resources Board, et al.* (United States District Court, Eastern District of California, Fresno Division, Case No. 1:22-at-904).

Challenge to CARB's Advanced Clean Cars II regulations in state court opposing the zero-emission vehicle requirements on California Administrative Procedures Act, California Environmental Quality Act, and State constitutional grounds. *Western States Petroleum Association v. California Air Resources Board, et al.* (Fresno County Superior Court, Case No. 22CECG03603).

Challenges to CARB's or U.S. EPA's Truck Emissions Regulations

Challenge to Clean Truck Partnership Agreement. *American Free Enterprise Chamber of Commerce v. Engine Manufacturers Association, et al.* (United States District Court, Northern District of Illinois, Western Division, Case No. 3:24-cv-50504).

CARB intervened in a challenge to U.S. EPA's recent grant of a waiver of preemption for CARB's Omnibus Low Nox regulation. *American Free Enterprise Chamber of*



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Commerce v. U.S. Environmental Protection Agency (United States Court of Appeals, Ninth Circuit, Case No. 25-89).

Five challenges in federal court to CARB's Advanced Clean Fleets greenhouse-gas regulation as preempted by federal statutes and other claims.

American Free Enterprise Chamber of Commerce, et al. v. Steven S. Cliff, et al. (United States District Court, Eastern District of California, Case No. 2:24 cv 00988 KJM-JDP).

California Trucking Association v. California Air Resources Board (United States District Court, Eastern District of California, Case No. 2:23 cv 02333-TLN-CKD).

Specialty Equipment Market Association et al v. California Air Resources Board, Steven S. Cliff, Robert A. Bonta et al. (United States District Court for the Eastern District of California, Sacramento Division; Case No. 2:24-cv-02771-TLN-AC).

State of Nebraska, et al. v. Steven S. Cliff, et al. (United States District Court, Eastern District of California, Case No. 2:24-cv-01364-TLN-CKD).

Western States Trucking Association, Inc. and Construction Industry Air Quality Coalition, Inc. v. U.S. Environmental Protection Agency (United States Court of Appeals, District of Columbia Circuit, Case No. 23-1148).

CARB intervened to support U.S. EPA's 2024 heavy-duty truck emissions regulation, which plaintiffs allege exceeds U.S. EPA's statutory authority and otherwise is arbitrary, capricious, an abuse of discretion, and not in accordance with law. *State of Nebraska, et al. v. U.S. Environmental Protection Agency, et al.* (United States Court of Appeals, District of Columbia Circuit, Case No. 24-1129; consolidated with Case Nos. 24-1133, 24-1157, 24-1207, 24-1208, 24-1209, 24-1210, and 24-1214).

Two industry groups, in separate state court lawsuits, challenged CARB's Advanced Clean Fleets truck regulation as failing to meet state law, the California Environmental Quality Act, and other procedural requirements, as well as claims of violating constitutional protections and lack of legal authority.

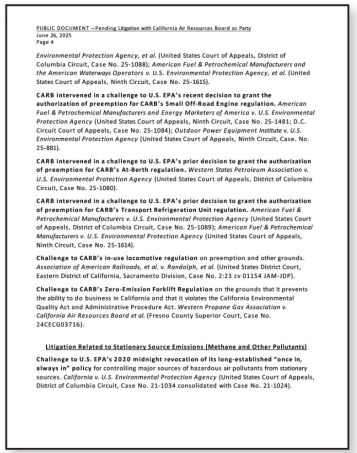
Western States Petroleum Association v. California Air Resources Board (Fresno County Superior Court, Case No. 23CECG02976).

Western States Trucking Association v. California Air Resources Board (Fresno County Superior Court, Case No. 23CECG02964).

Challenges to CARB's Off-Road Regulations

Challenge to CARB's Commercial Harbor Craft Regulation. *Ryan Murray Partners, Inc. v. CARB* (Superior Court of California County of Sacramento, Case No. 25CV005264).

CARB intervened in a challenge to U.S. EPA's recent decision to grant the authorization of preemption of CARB's Commercial Harbor Craft regulation. *American Fuel & Petrochemical Manufacturers and the American Waterways Operators v. U.S.*



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Environmental Protection Agency, et al. (United States Court of Appeals, District of Columbia Circuit, Case No. 25-1088); *American Fuel & Petrochemical Manufacturers and the American Waterways Operators v. U.S. Environmental Protection Agency, et al.* (United States Court of Appeals, Ninth Circuit, Case No. 25-1615).

CARB intervened in a challenge to U.S. EPA's recent decision to grant the authorization of preemption for CARB's Small Off-Road Engine regulation. *American Fuel & Petrochemical Manufacturers and Energy Marketers of America v. U.S. Environmental Protection Agency* (United States Court of Appeals, Ninth Circuit, Case No. 25-1481; D.C. Circuit Court of Appeals, Case No. 25-1084); *Outdoor Power Equipment Institute v. U.S. Environmental Protection Agency* (United States Court of Appeals, Ninth Circuit, Case. No. 25-881).

CARB intervened in a challenge to U.S. EPA's prior decision to grant the authorization of preemption for CARB's At-Berth regulation. *Western States Petroleum Association v. U.S. Environmental Protection Agency* (United States Court of Appeals, District of Columbia Circuit, Case No. 25-1080).

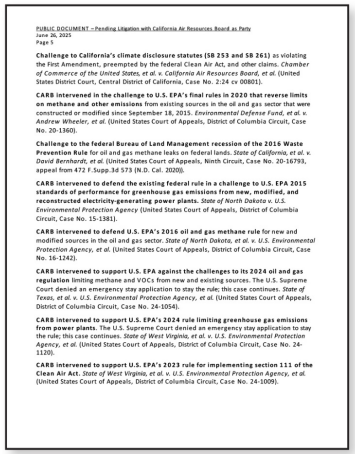
CARB intervened in a challenge to U.S. EPA's prior decision to grant the authorization of preemption for CARB's Transport Refrigeration Unit regulation. *American Fuel & Petrochemical Manufacturers v. U.S. Environmental Protection Agency* (United States Court of Appeals, District of Columbia Circuit, Case No. 25-1089); *American Fuel & Petrochemical Manufacturers v. U.S. Environmental Protection Agency* (United States Court of Appeals, Ninth Circuit, Case No. 25-1614).

Challenge to CARB's in-use locomotive regulation on preemption and other grounds. *Association of American Railroads, et al. v. Randolph, et al.* (United States District Court, Eastern District of California, Sacramento Division, Case No. 2:23 cv 01154 JAM-JDP).

Challenge to CARB's Zero-Emission Forklift Regulation on the grounds that it prevents the ability to do business in California and that it violates the California Environmental Quality Act and Administrative Procedure Act. *Western Propane Gas Association v. California Air Resources Board et al.* (Fresno County Superior Court, Case No. 24CECG05716).

Litigation Related to Stationary Source Emissions (Methane and Other Pollutants)

Challenge to U.S. EPA's 2020 midnight revocation of its long-established "once in, always in" policy for controlling major sources of hazardous air pollutants from stationary sources. *California v. U.S. Environmental Protection Agency* (United States Court of Appeals, District of Columbia Circuit, Case No. 21-1034 consolidated with Case No. 21-1024).



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Challenge to California's climate disclosure statutes (SB 253 and SB 261) as violating the First Amendment, preempted by the federal Clean Air Act, and other claims. *Chamber of Commerce of the United States, et al. v. California Air Resources Board, et al.* (United States District Court, Central District of California, Case No. 2:24 cv 00801).

CARB intervened in the challenge to U.S. EPA's final rules in 2020 that reverse limits on methane and other emissions from existing sources in the oil and gas sector that were constructed or modified since September 18, 2015. *Environmental Defense Fund, et al. v. Andrew Wheeler, et al.* (United States Court of Appeals, District of Columbia Circuit, Case No. 20-1360).

Challenge to the federal Bureau of Land Management recession of the 2016 Waste Prevention Rule for oil and gas methane leaks on federal lands. *State of California, et al. v. David Bernhardt, et al.* (United States Court of Appeals, Ninth Circuit, Case No. 20-16793, appeal from 472 F.Supp.3d 573 (N.D. Cal. 2020)).

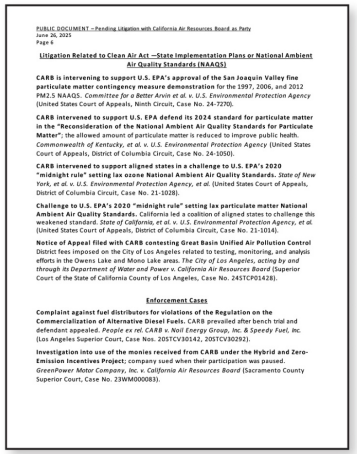
CARB intervened to defend the existing federal rule in a challenge to U.S. EPA 2015 standards of performance for greenhouse gas emissions from new, modified, and reconstructed electricity-generating power plants. *State of North Dakota v. U.S. Environmental Protection Agency* (United States Court of Appeals, District of Columbia Circuit, Case No. 15-1381).

CARB intervened to defend U.S. EPA's 2016 oil and gas methane rule for new and modified sources in the oil and gas sector. *State of North Dakota, et al. v. U.S. Environmental Protection Agency, et al.* (United States Court of Appeals, District of Columbia Circuit, Case No. 16-1242).

CARB intervened to support U.S. EPA against the challenges to its 2024 oil and gas regulation limiting methane and VOCs from new and existing sources. The U.S. Supreme Court denied an emergency stay application to stay the rule; this case continues. *State of Texas, et al. v. U.S. Environmental Protection Agency, et al.* (United States Court of Appeals, District of Columbia Circuit, Case No. 24-1054).

CARB intervened to support U.S. EPA's 2024 rule limiting greenhouse gas emissions from power plants. The U.S. Supreme Court denied an emergency stay application to stay the rule; this case continues. *State of West Virginia, et al. v. U.S. Environmental Protection Agency, et al.* (United States Court of Appeals, District of Columbia Circuit, Case No. 24-1120).

CARB intervened to support U.S. EPA's 2023 rule for implementing section 111 of the Clean Air Act. *State of West Virginia, et al. v. U.S. Environmental Protection Agency, et al.* (United States Court of Appeals, District of Columbia Circuit, Case No. 24-1009).



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Litigation Related to Clean Air Act –State Implementation Plans or National Ambient Air Quality Standards (NAAQS)

CARB is intervening to support U.S. EPA's approval of the San Joaquin Valley fine particulate matter contingency measure demonstration for the 1997, 2006, and 2012 PM2.5 NAAQS. *Committee for a Better Arvin et al. v. U.S. Environmental Protection Agency* (United States Court of Appeals, Ninth Circuit, Case No. 24-7270).

CARB intervened to support U.S. EPA defend its 2024 standard for particulate matter in the "Reconsideration of the National Ambient Air Quality Standards for Particulate Matter": the allowed amount of particulate matter is reduced to improve public health. *Commonwealth of Kentucky, et al. v. U.S. Environmental Protection Agency* (United States Court of Appeals, District of Columbia Circuit, Case No. 24-1050).

CARB intervened to support aligned states in a challenge to U.S. EPA's 2020 "midnight rule" setting lax ozone National Ambient Air Quality Standards. *State of New York, et al. v. U.S. Environmental Protection Agency, et al.* (United States Court of Appeals, District of Columbia Circuit, Case No. 21-1028).

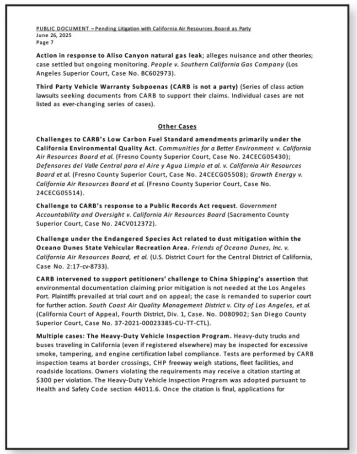
Challenge to U.S. EPA's 2020 "midnight rule" setting lax particulate matter National Ambient Air Quality Standards. California led a coalition of aligned states to challenge this weakened standard. *State of California, et al. v. U.S. Environmental Protection Agency, et al.* (United States Court of Appeals, District of Columbia Circuit, Case No. 21-1014).

Notice of Appeal filed with CARB contesting Great Basin Unified Air Pollution Control District fees imposed on the City of Los Angeles related to testing, monitoring, and analysis efforts in the Owens Lake and Mono Lake areas. *The City of Los Angeles, acting by and through its Department of Water and Power v. California Air Resources Board* (Superior Court of the State of California County of Los Angeles, Case No. 24STCP01428).

Enforcement Cases

Complaint against fuel distributors for violations of the Regulation on the Commercialization of Alternative Diesel Fuels. CARB prevailed after bench trial and defendant appealed. *People ex rel. CARB v. Neil Energy Group, Inc. & Speedy Fuel, Inc.* (Los Angeles Superior Court, Case Nos. 20STCV30142, 20STCV30292).

Investigation into use of the monies received from CARB under the Hybrid and Zero-Emission Incentives Project; company sued when their participation was paused. *GreenPower Motor Company, Inc. v. California Air Resources Board* (Sacramento County Superior Court, Case No. 23WM000083).



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Action in response to Aliso Canyon natural gas leak; alleges nuisance and other theories; case settled but ongoing monitoring. *People v. Southern California Gas Company* (Los Angeles Superior Court, Case No. BC602973).

Third Party Vehicle Warranty Subpoenas (CARB is not a party) (Series of class action lawsuits seeking documents from CARB to support their claims. Individual cases are not listed as ever-changing series of cases).

Other Cases

Challenges to CARB's Low Carbon Fuel Standard amendments primarily under the California Environmental Quality Act. *Communities for a Better Environment v. California Air Resources Board et al.* (Fresno County Superior Court, Case No. 24CECG05430); *Defensores del Valle Central para el Aire y Agua Limpio et al. v. California Air Resources Board et al.* (Fresno County Superior Court, Case No. 24CECG05508); *Growth Energy v. California Air Resources Board et al.* (Fresno County Superior Court, Case No. 24CECG05514).

Challenge to CARB's response to a Public Records Act request. *Government Accountability and Oversight v. California Air Resources Board* (Sacramento County Superior Court, Case No. 24CV012372).

Challenge under the Endangered Species Act related to dust mitigation within the Oceano Dunes State Vehicular Recreation Area. *Friends of Oceano Dunes, Inc. v. California Air Resources Board, et al.* (U.S. District Court for the Central District of California, Case No. 2:17-cv-8733).

CARB intervened to support petitioners' challenge to China Shipping's assertion that environmental documentation claiming prior mitigation is not needed at the Los Angeles Port. Plaintiffs prevailed at trial court and on appeal; the case is remanded to superior court for further action. *South Coast Air Quality Management District v. City of Los Angeles, et al.* (California Court of Appeal, Fourth District, Div. 1, Case. No. D080902; San Diego County Superior Court, Case No. 37-2021-00023385-CU-TT-CTL).

Multiple cases: The Heavy-Duty Vehicle Inspection Program. Heavy-duty trucks and buses traveling in California (even if registered elsewhere) may be inspected for excessive smoke, tampering, and engine certification label compliance. Tests are performed by CARB inspection teams at border crossings, CHP freeway weigh stations, fleet facilities, and roadside locations. Owners violating the requirements may receive a citation starting at $300 per violation. The Heavy-Duty Vehicle Inspection Program was adopted pursuant to Health and Safety Code section 44011.6. Once the citation is final, applications for

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Judgments are filed in Sacramento County Superior Court. (Health & Saf. Code, § 44011.6(m).) The individual citations filed in court are not listed in this summary.

Per AI - It is impossible to provide a precise number of lawsuits involving the California Air Resources Board (CARB).

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