



State of Oregon Department of Environmental Quality

# Notice of Proposed Rulemaking

Oct. 15, 2019

Oregon Clean Vehicle Rebate Program - 2020 Rule Amendments

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# Introduction and Summary

The Department of Environmental Quality (DEQ) DEQ invites public input on proposed permanent rule amendments to division 270 of chapter 340 of the Oregon Administrative Rules, which relate to the Oregon Clean Vehicle Rebate Program. The purposes of the proposed rules are to incorporate legislative changes affecting the Oregon Clean Vehicle Rebate Program and make other small adjustments necessary to clarify program requirements and improve DEQ's implementation of the program. Interested persons may present their views on the proposed action by providing comments in writing or at the hearing scheduled on these proposed rules, as described in more detail below, or as otherwise provided in this notice.

## Background

The Oregon Clean Vehicle Rebate Program is a program carried out by DEQ in Oregon that provides rebates for certain types of vehicle purchases. The program contains two elements – one element provides rebates for the purchase or lease of eligible new zero-emission vehicles (referred to as Standard rebates) if all program requirements are met. The second element, called the Charge Ahead rebate, provides rebates for the purchase or lease of new or used zero-emission vehicles if the purchaser is from a low or moderate-income household and meets all program requirements.

## DEQ Proposal

DEQ is proposing that the Environmental Quality Commission (EQC), which is a five-member panel appointed by the governor that serves as DEQ's policy and rulemaking board, amend the Oregon Clean Vehicle Program rules contained in OAR Chapter 340, Division 270 to incorporate 2019 Legislative changes affecting the program and to make other adjustments necessary to clarify program requirements and improve DEQ's implementation of the program.

## Accessibility Information

You may review copies of all documents referenced in this announcement at:

Oregon DEQ  
700 NE Multnomah St., Ste. 600  
Portland, OR, 97232

To schedule a review of all websites and documents referenced in this announcement, call Rachel Sakata, DEQ – Headquarters, 503-229-5659 (800-452-4011, ext. 5622 toll-free in Oregon). The documents are available at a location that is accessible to persons with mobile impairments.

Please notify DEQ of any special physical or language accommodations or if you need information in large print, Braille or another format, or any other arrangements necessary to accommodate a disability. To make these arrangements, contact DEQ, Portland, at 503-229-5696

or call toll-free in Oregon at 1-800-452-4011, ext. 5696; fax to 503-229-6762; or email to [deqinfo@deq.state.or.us](mailto:deqinfo@deq.state.or.us) . Hearing impaired persons may call 711.

## Overview

### Short Summary

DEQ recommends the EQC approve the proposed rule amendments to incorporate changes to the Oregon Clean Vehicle Rebate Program. These proposed rule changes include:

- Allowing plug-in hybrid electric vehicles to be eligible for the Charge Ahead rebate;
- Prorating the payback amount if a rebate recipient sells or terminates the lease of the electric vehicle before the end of 24 months;
- Creating a provision that allows for waiver of the payback amount if the rebate recipient sells or terminates the lease of the electric vehicle before the end of 24 months;
- Clarifying how rebate applications will be processed;
- Clarifying the definition that DEQ will use to determine what constitutes a household;
- Allowing people who purchased vehicles between Jan. 1, 2018 and Aug. 2, 2018 to have an additional six month window to apply for rebates; and
- Making other minor adjustments to ensure the program continues to operate smoothly.

### Brief history

On Aug. 18, 2017, Oregon Governor Kate Brown signed House Bill 2017 which, in addition to making many other transportation investments, created a program to provide rebates to Oregonians who meet all program requirements and purchase certain types of zero-emission vehicles, including eligible plug-in hybrid zero-emission vehicles, and other eligible zero-emissions vehicles (collectively called electric vehicles or zero-emission vehicles). This program was designed by the Oregon Legislature to encourage higher adoption of zero-emission vehicles to reduce air pollution and progress the state towards its greenhouse gas reduction goals. In 2018, House Bill 4059 became law, which included further adjustments to the rebate program to reduce barriers for low and moderate income households hoping to access rebates by removing certain program eligibility requirements included in House Bill 2017.

In May 2018, the EQC adopted rules to implement a zero-emission vehicle rebate program in Oregon. In Jan. 2019, the EQC amended rules to make further adjustments to the program including allowing three wheeled zero-emission vehicles to be eligible for the rebate.

Subsequently, in 2019, the Oregon Legislature passed House Bill 2592 which incorporated additional changes to clarify program requirements and expand program eligibility, particularly for the Charge Ahead Program participants.

### Affected parties

DEQ is implementing the program as established by the May 2018 rules. There are no regulated parties, because the proposed rules do not impose any requirements on parties who do not wish to participate in the program.

A number of parties may be affected by the proposed rules. DEQ is currently implementing the program as laid out in the 2018 rules, the 2019 amendments to those rules, and the 2019 temporary rules. These rules may affect parties who chooses to or would like to participate in the program. Those parties include:

- Automobile dealers that sell or lease new and or used zero-emission vehicles. Such dealers may be affected by the rules if they choose to apply the rebate to the purchase or lease at the point of sale, by allowing purchasers or lessees to assign their rebates to the dealers or by otherwise assisting purchasers in obtaining rebates. Further, dealers could be affected by increased zero-emission vehicle sales or reduced sales of other vehicles.
- Automobile manufacturers, such as those that manufacture zero-emission vehicles eligible for rebates. Manufacturers may be affected by the rules if they allowed purchasers or lessees to assign their rebates or otherwise assist purchasers or lessees in obtaining rebates. Further, dealers could be affected by increased zero-emission vehicle sales or leases or reduced sales or leases of other vehicles.
- Zero-emission vehicle purchasers or lessees such as Oregon residents who purchase or lease zero-emission vehicles that qualify for rebates under the program. These persons would be affected because they would receive a rebate.
- Vehicle purchasers or lessees such as Oregon residents who purchase or lease zero-emission vehicles that do not qualify for rebates under the program. These persons would be affected because they would not receive a rebate.

The rules may also affect automobile dealers or manufactures who do not participate in the program by changing consumer preferences and either reducing the sale of electric vehicles, decreasing the sales of other types of vehicles, or both.

## **Request for Other Options**

During the public comment period, DEQ asks for public comment on whether there are other options for achieving the rules' substantive goals while reducing the rules' negative economic impact on business or reduce other negative impacts that may result from the rules. DEQ also is requesting public comment on other ways to incorporate the recent legislative changes or other ways to clarify program requirements and improve DEQ's implementation of the program, such as the definition of household used to qualify Charge Ahead rebate applicants.

## **Procedural Summary**

### **More information**

Information about this rulemaking is on this rulemaking's web page:

<https://www.oregon.gov/deq/Regulations/rulemaking/Pages/revrebate2020.aspx>

## Public Hearings

DEQ plans to hold one public hearing. Anyone may attend a hearing in person, or by webinar or teleconference.

Date: Nov. 18, 2019

Start time: 1:00 p.m.

Street address: 700 NE Multnomah St

Room: Conference room 300 (3<sup>rd</sup> floor)

City: Portland

Teleconference phone number: 888-278-0296

Participant code: 8040259

Instructions on how to join webinar or teleconference: [Webinar/teleconference instructions](#)

## How to comment on this rulemaking proposal

Any person may submit comments by sending an email. Commenters should include “Oregon Clean Vehicle Rebate Program 2020” in the email subject line. Submit emails to:

[evrebate2020@deq.state.or.us](mailto:evrebate2020@deq.state.or.us)

### Comment deadline

DEQ will only consider comments on the proposed rules that DEQ receives by 4 p.m., on Nov. 22, 2019.

### Submit comment online

<https://www.oregon.gov/deq/Regulations/rulemaking/Pages/revrebate2020.aspx>

### Note for public university students:

ORS 192.345(29) allows Oregon public university and OHSU students to protect their university email addresses from disclosure under Oregon’s public records law. If you are an Oregon public university or OHSU student you may ask DEQ to keep your email address confidential.

### By mail

Oregon DEQ

Attn: Rachel Sakata

700 NE Multnomah St., Room 600

Portland, OR 97232-4100

## **At hearing Nov. 18, 2019**

Any person may attend the hearing in person. The hearing will be accessible to people with mobile impairments. DEQ invites people with disabilities to tell the agency if they need auxiliary aids and services to meaningfully participate in the hearing.

You may also participate in the hearing through a teleconference.

Teleconference call-in number: 888-278-0296  
Participant ID: 8040259

## **Sign up for rulemaking notices**

Get email or text updates about this rulemaking by either:

- Signing up through this link: [Oregon Clean Vehicle Rebate Program Email List](#);
- Signing up on the rulemaking web site: [Clean Vehicle Rebate Program 2020](#) .

Get email or text updates about other, future DEQ rulemaking by signing up through this link: [DEQ Email Notice List](#).

## **What will happen next?**

DEQ will include a written response to comments in a staff report DEQ will submit to the EQC.

Proposed rules only become effective if the EQC adopts them. DEQ plans to present the proposed rules to the commission for a decision at its Jan. 2020 meeting.

# Statement of need

## **What need would the proposed rule address?**

House Bill 2592 made changes to the Oregon Clean Vehicle Rebate Program, including allowing more flexibility for potential rebate applicants, specifically to the Charge Ahead element of the program. DEQ needs to adjust its rules to account for these legislative changes and to clarify other requirements contained in the rules to ensure successful on-going implementation of the program. The 2019 legislation will be going into effect on Sept. 29, 2019. DEQ has promulgated temporary rules to ensure that its rules are consistent with the amended legislation. DEQ needs to have permanent rules in place before those temporary rules expire to ensure that its rules are consistent with the amended legislative. DEQ would also like to clarify program requirements and improve its implementation of the program, which DEQ has addressed in these rules by making other minor adjustments.

## **How would the proposed rule address the need?**

DEQ's rules will be consistent with the amended legislation and implement the changes approved by the legislature. DEQ's rules will provide greater clarity on how the Oregon Clean Vehicle Rebate Program will operate and improve program functioning.

## **How will DEQ know the rule addressed the need?**

DEQ will know the need has been addressed when its rules are consistent with the legislature's changes to the program and there is more clarity for the public on how the program operates.

# Rules affected, authorities, supporting documents

## Lead division

Air Quality Division

## Program or activity

Air Quality Planning

## Chapter 340 action

Amend (OAR)				
340-270-0010	340-270-0020	340-270-0030	340-270-0100	340-270-0110
340-270-0120	340-270-0200	340-270-0300	340-270-0400	340-270-0410
340-270-0420	340-270-0430	340-270-0500		

Statutory Authority (ORS)	
ORS 468.020	2017 Or. Law Ch. 750, Sec. 148-157
	2018 Or. Law Ch. 93, Sec. 18-21
	House Bill 2592 (2019), Sec 35-37

Statutes Implemented	
2017 Or. Law Ch. 750 Sec. 148-157	2018 Or. Law Ch. 93 Sec. 18-21
House Bill 2592 (2019), Sec 35-37	

## Legislation

House Bill 2017 (2017)

House Bill 4059 (2018)

House Bill 2592 (2019)

## Documents relied on for rulemaking

Document title	Document location
House Bill 2017 (2017)	<a href="https://olis.leg.state.or.us/liz/2017R1/Downloads/MeasureDocument/HB2017/Enrolled">https://olis.leg.state.or.us/liz/2017R1/Downloads/MeasureDocument/HB2017/Enrolled</a>
House Bill 4059 (2018)	<a href="https://olis.leg.state.or.us/liz/2018R1/Downloads/MeasureDocument/HB4059/Enrolled">https://olis.leg.state.or.us/liz/2018R1/Downloads/MeasureDocument/HB4059/Enrolled</a>
House Bill 2592 (2019)	<a href="https://olis.leg.state.or.us/liz/2019R1/Downloads/MeasureDocument/HB2592">https://olis.leg.state.or.us/liz/2019R1/Downloads/MeasureDocument/HB2592</a>



# Fee Analysis

This rulemaking does not involve fees.

# Statement of fiscal and economic impact

## Fiscal and Economic Impact

DEQ is proposing that EQC adopt revisions to the Oregon Clean Vehicle Rebate Program under Division 270 of Chapter 340 of the Oregon Administrative Rules. The Oregon Clean Vehicle Rebate Program contains two elements. One element provides rebates for the purchase or lease of eligible new zero-emission vehicles (referred to as Standard rebates) if all program requirements are met. The second element, referred to as the Charge Ahead rebate, provides rebates for the purchase or lease of qualifying new or used zero-emission vehicles if the purchaser or lessee is from a low or moderate-income household and meets all program requirements.

The proposed rules would revise the Oregon Clean Vehicle Rebate Program rules to incorporate 2019 Legislative changes affecting the program and to make other necessary adjustments to clarify program requirements and improve DEQ's implementation of the program. The proposed rules do not significantly affect DEQ implementation of the OCVRP or otherwise significantly affect program requirements. These proposed rule changes include:

- Making plug-in hybrid electric vehicles eligible for rebates under the Charge Ahead program;
- Allowing people who purchased vehicles between Jan. 1, 2018 and Aug. 2, 2018 to have an additional six month window to apply for the rebate;
- Prorating the payback amount if a rebate recipient sells or terminates the lease of the electric vehicle before the end of 24 months;
- Creating a provision that allows for waiver of the payback amount if the rebate recipient sells or terminates the lease of the electric vehicle before the end of 24 months;
- Clarifying how rebate applications will be processed;
- Clarifying the definition that DEQ will use to determine what constitutes a household; and
- Making other minor adjustments to ensure the program continues to operate smoothly.

DEQ anticipates that the proposed rules will have positive fiscal impacts on affected parties. DEQ has also identified potential negative fiscal impacts. Overall, DEQ expects any fiscal impacts to be minor, given that the proposed rules do not significantly change the program as it exists now.

## Statement of Cost of Compliance

### State agencies

DEQ does not expect the proposed rule changes to have a significant fiscal impact on state agencies. The changes are not expected to significantly affect DEQ implementation of the Oregon Clean Vehicle Rebate Program. State agencies may be affected to the same extent as the public if state agencies are involved in purchasing or leasing of automobiles.

### **Local governments**

DEQ does not expect the proposed rule changes to have a significant fiscal impact on local governments. Local governments may be affected to the same extent as the public if local governments are involved in purchasing or leasing of automobiles.

### **Public**

The public would not incur any mandatory compliance costs as a result of the proposed rule changes because the proposed rules do not impose any requirements on parties who do not wish to participate in the program.

The rule changes are expected to have a positive fiscal impact on the public.

Generally, the requirements allowing prorated paybacks and payback waivers are anticipated to make members of the public more willing to purchase or lease vehicles that are eligible for a rebate, because the program creates less of a financial burden if unanticipated events result in early termination of ownership or lease. Further, the rule changes that clarify program requirements are expected to increase program participation by making it easier for members of the public to participate. Increased participation can result in more rebates being issued resulting in a positive fiscal impact to the public.

Allowing Charge Ahead rebates for eligible plug-in hybrid vehicles may have a positive fiscal impact on consumers choosing to participate in the Oregon Clean Vehicle Rebate Program. Inclusion of plug-in hybrid vehicles would increase the range of choices for low and moderate income households who wish to apply for a rebate. Specifically, under the proposed changes, Charge Ahead applicants are eligible to obtain a \$2,500 rebate for the purchase or lease of a new or used plug-in hybrid vehicle. This is anticipated to have a positive fiscal impact to the public.

The proposed rule would provide additional beneficial impacts to members of the public who may have purchased or leased an electric vehicle between Jan. 1, 2018 and Aug. 2, 2018, but failed to submit an application to DEQ within the six month deadline. Under the proposed rule changes, these applicants are eligible to submit an application to receive a rebate between \$1,500 and \$2,500.

The proposed rule changes are not expected to have a negative fiscal impact on the public. However, if rebate applications increased such that DEQ did not have enough funding to fund all eligible applications, there could be a negative fiscal impact on members of the public who were eligible for a rebate but did not receive a rebate as a result of funding limitations. The clarification defining household size could have a negative fiscal impact on members of the public who do not qualify for Charge Ahead rebates under the clarified definition.

## **Large businesses - businesses with more than 50 employees**

There are no businesses or industries subject to the proposed rules because the rules do not impose any requirements on parties who do not wish to participate in the program.

Businesses or industries that are likely to be impacted by the proposed rules are those that manufacture or sell automobiles.

Large businesses would not incur any mandatory compliance costs as a result of the proposed rules because the proposed rules do not impose any requirements on parties who do not wish to participate in the program. There are no projected reporting, recordkeeping, or other administrative activities required for compliance. There are no anticipated additional equipment, supplies, labor, or increased administration required for compliance with the proposed rule.

Large business automobile manufacturers and car dealerships, such as those that manufacture or sell plug-in hybrid electric vehicles eligible for Charge Ahead rebates or other vehicles eligible for a rebate, could be affected by increased sales or leases, which could result in a positive fiscal impact. Large business automobile manufacturers and car dealerships that manufacture or sell cars other than plug-in hybrid electric vehicles or other vehicles eligible for a rebate could be affected by decreased sales or leases of non-rebated cars, if buyers or lessees opted to purchase rebate-eligible vehicles as a result of the added financial incentive provided by rebates. This could result in a negative fiscal impact for these manufacturers and dealerships.

## **Small businesses – businesses with 50 or fewer employees**

There are no businesses or industries subject to the proposed rules because the rules do not impose any requirements on parties who do not wish to participate in the program.

Businesses or industries that are likely to be impacted by the proposed rules are those that manufacture or sell automobiles. DEQ identified up to 1,100 small businesses potentially affected by this rule. This includes 245 automobile dealers (both new and used).

Small businesses would not incur any mandatory compliance costs as a result of the proposed rules because the proposed rules do not impose any requirements on parties who do not wish to participate in the program. There are no projected reporting, recordkeeping, or other administrative activities required for compliance. There are no anticipated equipment, supplies, labor, or increased administration required for compliance with the proposed rules.

Overall, DEQ anticipates that affected small businesses would benefit from the proposed rules. The proposed rule would expand incentives for the sale or lease of plug-in hybrid electric vehicles to Charge Ahead rebate applicants and adopt other changes that clarify program requirements and allow a prorated repayment or repayment waiver. There could be a positive fiscal impact on small businesses manufacturing, selling, or leasing plug-in hybrid electric vehicles or other vehicles eligible for a rebate, as a larger pool of applicants could utilize this incentive and increase sales or leases in Oregon. There could be a negative fiscal impact on small businesses manufacturing, selling, or leasing cars other than plug-in hybrid electric

vehicles or other vehicles eligible for a rebate, as a result of customers choosing to purchase rebate-eligible vehicles.

**a. Estimated number of small businesses and types of businesses and industries with small businesses subject to proposed rule.**

DEQ originally identified up to 1,100 small business automobile dealers (that sell both new and used vehicles) that could participate in the Oregon Clean Vehicle Rebate Program. Any of the small business automobile dealers could potentially participate in assignment of rebates for plug-in hybrid electric vehicles for Charge Ahead applicants.

**b. Projected reporting, recordkeeping and other administrative activities, including costs of professional services, required for small businesses to comply with the proposed rules.**

No additional activities are required to comply with the proposed rules.

**c. Projected equipment, supplies, labor and increased administration required for small businesses to comply with the proposed rules.**

No additional activities are required to comply with the proposed rules.

**d. Describe how DEQ involved small businesses in developing this proposed rule.**

DEQ included small business representatives on the Electric Vehicle Rebate Rule Advisory Committee that advised DEQ on the cost of compliance for small businesses. DEQ also provided rulemaking notice through the Oregon Auto Dealers Association, the Oregon Independent Auto Dealers Association, and the Oregon Vehicle Dealers Association. These associations include small businesses as part of their membership.

## Documents relied on for fiscal and economic impact

Document title	Document location
Oregon Department of Employment 2015 data	Employment Department 875 Union Street NE Salem OR 97311

## Advisory committee fiscal review

DEQ appointed an advisory committee.

As ORS 183.33 requires, DEQ asked for the committee’s recommendations on:

- Whether the proposed rules would have a fiscal impact,

- The extent of the impact, and
- Whether the proposed rules would have a significant adverse impact on small businesses; if so, then how DEQ can comply with ORS 183.540 reduce that impact.

The committee reviewed the draft fiscal and economic impact statement and its findings are stated in the approved minutes dated Sept. 10, 2019.

The committee agreed with DEQ's analysis regarding the fiscal and economic impacts. The committee did provide comments about how the definition of household may adversely affect some members of the public who would not be able to qualify under DEQ's proposed definition. However, the committee also acknowledged DEQ's proposed definition is its approach to be consistent with how other income qualified programs and federal and state agencies define household. The committee determined the proposed rules would/would not have a significant adverse impact on small businesses in Oregon.

## **Housing cost**

As ORS 183.534 requires, DEQ evaluated whether the proposed rules would have an effect on the development cost of a 6,000-square-foot parcel and construction of a 1,200-square-foot detached, single-family dwelling on that parcel. DEQ determined the proposed rules would have no effect on the development costs because it only affects purchasers of electric vehicles.

# **Federal relationship**

## **Relationship to federal requirements**

ORS 183.332 and OAR 340-011-0029 require DEQ to attempt to adopt rules that correspond with existing equivalent federal laws and rules unless there are reasons not to do so.

The proposed rules are in addition to federal requirements since there are no federal regulations regarding rebates for the purchase or lease of zero-emission vehicle, or federal regulations regarding inclusion of three wheeled vehicles in rebate programs. The proposed rules protect the environment by reducing greenhouse gases.

## **What alternatives did DEQ consider if any?**

DEQ considered making small changes to the program to improve and clarify program requirements and has proposed them in this rulemaking notice.

# Land use

## Land-use considerations

In adopting new or amended rules, ORS 197.180 and OAR 340-018-0070 require DEQ to determine whether the proposed rules significantly affect land use. If so, DEQ must explain how the proposed rules comply with state-wide land-use planning goals and local acknowledged comprehensive plans.

Under OAR 660-030-0005(2) and OAR 340 Division 18, DEQ considers that rules affect land use if:

- The statewide land use planning goals specifically refer to the rule or program, or
- The rule or program is reasonably expected to have significant effects on:
  - Resources, objectives or areas identified in the statewide planning goals, or
  - Present or future land uses identified in acknowledged comprehensive plans

To determine whether the proposed rules involve programs or actions that affect land use, DEQ reviewed its Statewide Agency Coordination plan, which describes the DEQ programs that have been determined to significantly affect land use. DEQ considers that its programs specifically relate to the following statewide goals:

Goal	Title
5	Open Spaces, Scenic and Historic Areas, and Natural Resources
6	Air, Water and Land Resources Quality
9	Ocean Resources
11	Public Facilities and Services
16	Estuarial Resources

Statewide goals also specifically reference the following DEQ programs:

- Nonpoint source discharge water quality program – Goal 16
- Water quality and sewage disposal systems – Goal 16
- Water quality permits and oil spill regulations – Goal 19

## Determination

DEQ determined that these proposed rules do not affect land use under OAR 340-018-0030, OAR 660-030-0005(2), or DEQ’s State Agency Coordination Program.

# **EQC Prior Involvement**

DEQ shares general rulemaking information with EQC through the monthly Director's Report.

DEQ shared information about this rulemaking with the EQC in the Oregon Clean Vehicle Rebate Program temporary rule adoption action item on Sept. 27, 2019 at the meeting in Madras, Oregon.

# Advisory Committee

## Background

DEQ convened the Oregon Clean Vehicle Rebate Program 2020 Rule advisory committee. The committee included representatives from the automobile industry and dealers, environmental groups, a citizen group, utilities, and environmental justice groups. The committee met one time. The committee's web page is located at: [Clean Vehicle Rebate Program 2020](#)

The committee members were:

Oregon Clean Vehicle Rebate Rulemaking Advisory Committee	
Name	Affiliation
Alan DeBoer	Public Citizen - Former State Senator
Steve Douglas	Alliance of Auto Manufacturers
Gary Exner	Oregon Electric Vehicle Association
Darrell Fuller	Oregon Vehicle Dealers Association
Jana Gastellum	Oregon Environmental Council
Dan Jarman	Tesla
Aaron Milano	Portland General Electric
Julia Rege	Association of Global Automakers
Greg Remensperger	Oregon Auto Dealers Association
Jaclyn Sarna	Hacienda CDC
Vivian Satterfield	Verde
Cory Scott	PacifiCorp
Diane Sparks	Oregon Independent Auto Dealers

## Meeting notifications

To notify people about the advisory committee's activities, DEQ:

- Sent GovDelivery bulletins, a free e-mail subscription service, to the following lists:
  - Rulemaking
  - DEQ Public Notices
  - Electric Vehicle Rebate 2018 Rulemaking
  - Low Emission/Zero Emission Vehicle Program
  - Oregon Clean Vehicle Rebate Program

## **Committee discussions**

In addition to the recommendations described under the Statement of Fiscal and Economic Impact section above, the committee provided input to DEQ on certain program elements.

The committee specifically discussed:

- Maintaining the current rebate amounts.
- Vehicle ownership provision and how DEQ will be able to track and enforce
- Implementation and notification of the provision allowing certain applicants to be able to apply for a rebate if the person purchased or leased an electric vehicle between Jan. 1, 2018 through Aug. 2, 2018. Applicants will have 6 months to apply, starting Sept. 29, 2019. Applicants who have already submitted an application would not need to reapply.
- Opportunities to provide rebates for Charge Ahead applicants besides the dealerships or individuals. This included whether rebates could be offered through a lending institution on behalf of the applicant to reduce any potential loan amount taken to purchase or lease a vehicle.

# Public Engagement

## Public notice

DEQ provided notice of the proposed rulemaking and rulemaking hearing by:

- On Oct. 15, 2019 filing notice with the Oregon Secretary of State for publication in the November 2019 Oregon Bulletin;
- Posting the Notice, Invitation to Comment and Draft Rules on the web page for this rulemaking, located at:  
<https://www.oregon.gov/deq/Regulations/rulemaking/Pages/revrebate2020.aspx> ;
- Emailing approximately 14,800 interested parties on the following DEQ lists through GovDelivery:
  - DEQ Public Notices
  - Rulemaking
  - Oregon Clean Vehicle Rebate Program
  - Low Emission/Zero Emission Vehicle Program
  - Electric Vehicle Rebate 2018 Rulemaking
- Emailing the following key legislators required under [ORS 183.335](#):
  - Senator Lee Beyer, Co-Chair, Joint Committee on Transportation
  - Representative Caddy McKeown, Co-Chair, Joint Committee on Transportation
  - Senator Brian Boquist, Co-Vice Chair, Joint Committee on Transportation
  - Representative Ron Noble, Co-Vice Chair, Joint Committee on Transportation
- Emailing advisory committee members,
- Postings on Twitter and Facebook
- Posting on the DEQ event calendar: [DEQ Calendar](#)

## How to comment on this rulemaking proposal

DEQ is asking for public comment on the proposed rules. Anyone may submit comments and questions about this rulemaking. A person may submit comments through the [Clean Vehicle Rebate Program 2020 Comment web page](#), by regular mail, or at the public hearing.

### Comment deadline

DEQ will only consider comments on the proposed rules that DEQ receives by 4 p.m., on Nov. 22, 2019.

### Note for public university students:

ORS 192.345(29) allows Oregon public university and OHSU students to protect their university email addresses from disclosure under Oregon's public records law. If you are an Oregon public university or OHSU student, you may ask DEQ to keep your email address confidential.

## **By mail**

Oregon DEQ  
Attn: Rachel Sakata  
700 NE Multnomah St., Room 600  
Portland, OR 97232-4100

## **At hearing**

Nov. 18, 2019

# **Public Hearing**

DEQ plans to hold one public hearing. Anyone can attend a hearing in person, or by webinar or teleconference.

Date: **Nov. 18, 2019**  
Start time: 1:00 p.m.  
Street address: 700 NE Multnomah St  
Room: Conference Room 300, 3<sup>rd</sup> floor  
City: Portland

Teleconference phone number: 888-278-0296  
Participant code: 8040259

Instructions on how to join webinar or teleconference: [Webinar/teleconference instructions](#)

DEQ will consider all comments and testimony received before the closing date. DEQ will summarize all comments and respond to comments in the Environmental Quality Commission staff report. Any person can submit comments on the proposed rules as described in this document.

# **Accessibility Information**

Please notify DEQ of any special physical or language accommodations or if you need information in large print, Braille or another format, or any other arrangements necessary to accommodate a disability. To make these arrangements, contact DEQ, Portland, at 503-229-5696 or call toll-free in Oregon at 1-800-452-4011, ext. 5696; fax to 503-229-6762; or email to [deqinfo@deq.state.or.us](mailto:deqinfo@deq.state.or.us). Hearing impaired persons may call 711.