

STATE OF NEW MEXICO

**BEFORE THE ENVIRONMENTAL IMPROVEMENT
BOARD AND THE ALBUQUERQUE BERNALILLO
COUNTY AIR QUALITY CONTROL BOARD**

**IN THE MATTER OF PROPOSED AMENDMENTS
TO 20.2.91 NMAC, NEW MOTOR VEHICLE
EMISSION STANDARDS,**

No. EIB 23-56(R)

**WRITTEN REBUTTAL TESTIMONY OF KATHLEEN HARRIS, AARON KRESSIG,
AND DEBORAH KAPILOFF¹**

I. Introduction

In November 2023, the Environmental Improvement Board (EIB) and Albuquerque Bernalillo County Air Quality Control Board heard over 40 hours of technical testimony and public comment on the merits of adopting the Advanced Clean Cars II (ACC II) regulation. After deliberation, both Boards voted to adopt the ACC II regulation. There is an extensive record of what the ACC II regulations will do and will not do, as well as the tremendous benefits that will be brought forward in New Mexico with the adoption of ACC II. For example, EIB found that ACC II would produce between \$2.0 and \$4.6 million in monetized public health benefits by 2030 alone, by reducing deadly particulate matter pollution that contributes to increased mortality, heart attacks, chronic lung disease, bronchitis, and asthma. See EIB Statement of Reasons [“EIB SOR”], ¶ 51. The record also shows that ACC II will produce massive economic benefits for New Mexicans and help the state meet its greenhouse gas emission reduction goals.

New Mexico Auto Dealers Association (“NMADA”) and Automundo de Garcia, Ltd. (“Garcia,” collectively, “Movants” or the “Dealers”) opposed the Rule in November, and they continue to oppose it now. The stated purpose of this hearing is to consider a motion to stay ACC II pending resolution of the Dealers’ appeal before the New Mexico Court of Appeals. To obtain a stay, the Dealers need to show, among other things, that they would suffer irreparable harm

¹ Ms. Kapiloff’s CV is included as CA Exhibit B. The CVs of Ms. Harris and Mr. Kressig were previously introduced as CA Exhibits 3 and 4.

between now and the date the Court of Appeals renders a decision, which could be later this year or sometime in 2025. The Dealers fail to articulate, much less prove, that a regulation that takes effect in Model Year 2027 will harm them in 2024 or 2025. Instead, they improperly seek to relitigate the merits of the Rule, in an expedited motion hearing where public commenters are not allowed to participate, relying primarily on a selection of news articles and other anecdotal evidence about alleged issues with the electric vehicle (“EV”) transition.²

The cherry-picked data brought forth by the Dealers paint an inaccurate picture of the EV market and fail to demonstrate irreparable harm. The Dealers have also failed to include citations to the majority of their claims, which makes it challenging to evaluate their contentions. Many of the claims made in their testimony are verifiably false. The burden to show irreparable harm is on the Movants, yet they fail to clearly articulate how they will be harmed, much less provide any evidence showing non-speculative injury that will be caused while the stay is pending. The Dealers’ testimony in support of the Motion also ignores how granting the Motion would negatively impact the state’s effort to reduce climate warming greenhouse gas emissions and health harming air pollutants, including by potentially preventing parties that wish to obtain voluntary early action credits from doing so. At the hearing, Climate Advocates and the New Mexico Environment Department introduced volumes of testimony showing the tremendous economic, public health and environmental benefits that ACC II will provide for New Mexico. A stay could jeopardize these benefits by discouraging voluntary early action and creating confusion about what rules will ultimately apply in New Mexico.

Over the last four months New Mexico has continued to progress towards a clean car future, which is occurring whether the opponents to these regulations like it or not. Contrary to the Dealers’ speculative arguments, the evidence shows that New Mexico’s new rules are in line with the market/national trends. Even if a stay were granted, the Dealers would still need to adopt to the EV future, which is being driven by manufacturer commitments, federal regulation, and global trends. There is still plenty of time before Model Year (“MY”) 2027 (when ACC II

² The Board will remember that dozens of New Mexicans offered public comment supporting ACC II in November. Many of our members would have liked the opportunity to comment on this Motion as well. We collected statements from our members about why ACC II is important and should not be stayed, which are attached as CA Exhibit C.

takes effect) to embrace the future and make changes to their business models that are necessary to benefit from electric vehicles, as some local dealers in New Mexico are already demonstrating is possible. While *some* MY 2027 vehicles will start showing up on Dealers' lots in 2026, the evidence indicates that dealers will continue selling new MY 2027 vehicles in 2027, 2028, and even later, thereby offering additional time for a gradual transition. For example, according to its website, Garcia Motor's **new** vehicle inventory currently includes 34 MY 2023 vehicles, 653 MY 2024 vehicles, and only 10 MY 2025 vehicles. With at least two years before MY 2027 vehicles even start to trickle onto lots, there is no showing of an immediate need for emergency injunctive relief.

Recent developments at the federal level confirm that the EV transition is not slowing down. On March 20, 2024, EPA finalized new vehicle emissions rules to reduce greenhouse gasses from vehicles across the country.³ John Bozzella, president and CEO of the Alliance for Automotive Innovation— a group that represents major automakers in the United States— spoke at the release of the EPA rules and stated that “automakers are committed to electrification.”⁴ This development does not lessen the need for ACC II, which is still needed to ensure that New Mexico is a leader, not a laggard, in the transition, and that New Mexico consumers obtain the highest demand EVs first. Importantly, though, EPA's new rules show that automakers are (1) on board with clean cars and (2) will continue to implement various technologies to meet these new standards, which belies the Movants protests that automakers will be unable to comply with ACC II. New state tax credits and utility incentives for EVs will also drive additional EV sales in New Mexico, complementing federal efforts and (by 2027) ACC II.

Another recent development undermines the Dealers' suggestion that the EV transition is losing steam: just this week, Stellantis announced a partnership with California to get more clean cars on the road and invest \$6 million in charging infrastructure in states that have adopted Advanced Clean Car rules. It also pledged to “comply with California's zero-emissions light-duty vehicle sales requirements through 2030 even if CARB is unable to enforce its standards as a result of judicial or federal action.” See CA Exhibit E. This is notable because one of the

³ <https://www.epa.gov/system/files/documents/2024-03/420f24016.pdf>

⁴ <https://www.youtube.com/watch?v=2cUL93yH6XM>

Dealers' key witnesses (Teri Garcia) is a Stellantis dealer who has suggested, incorrectly, that the company is not supportive of the EV transition.

Granting the Motion to stay would be problematic and harmful to New Mexico, its residents, air quality, and human health. The Boards took action in November to adopt ACC II to maximize the benefits that a transition to clean cars brings to New Mexico, and these benefits were an important reason as to why the Boards took action to begin with. Granting this Motion would, at minimum, create confusion and discourage early, voluntary action that will benefit the state. It could jeopardize the enormous benefits of the Rule and make compliance more difficult and complicated when, as expected, the Court of Appeals ultimately upholds the Rule. This rebuttal testimony underscores the progress made in New Mexico since November, and also rebuts the Dealers' misleading claims about a slow-down in the EV market and an alleged lack of interest in EVs in New Mexico. The Climate Advocates urge the board to look at the overwhelming evidence that exists in the record and reject this Motion, so that New Mexico can stay on course to be a leader in the automotive market of the future.

II. Demand for EVs Is Not Declining

As previously stated in November, "ACC II remains consistent with long-term trends in the automotive industry; it is those long-term trends, not short-term fluctuations, that should guide policy making."⁵ The long-term trend is abundantly clear; EV adoption is growing rapidly and is forecasted to continue to grow into the future. This is true in New Mexico, across the U.S., and all over the globe.

The Dealers' testimony in support of the Motion includes many misleading statements that are supported by cherry picked opinion editorials and articles, but fails to present an accurate picture of the data on EV adoption. Ken Ortiz opines, contrary to undisputed evidence, that "the EV market is flat. This is an indisputable fact."⁶ In fact, there are mountains of evidence that the EV market continues to grow rapidly, and is expected to continue growing for the foreseeable

⁵ Rebuttal Testimony (Exhibit 36) at 5.

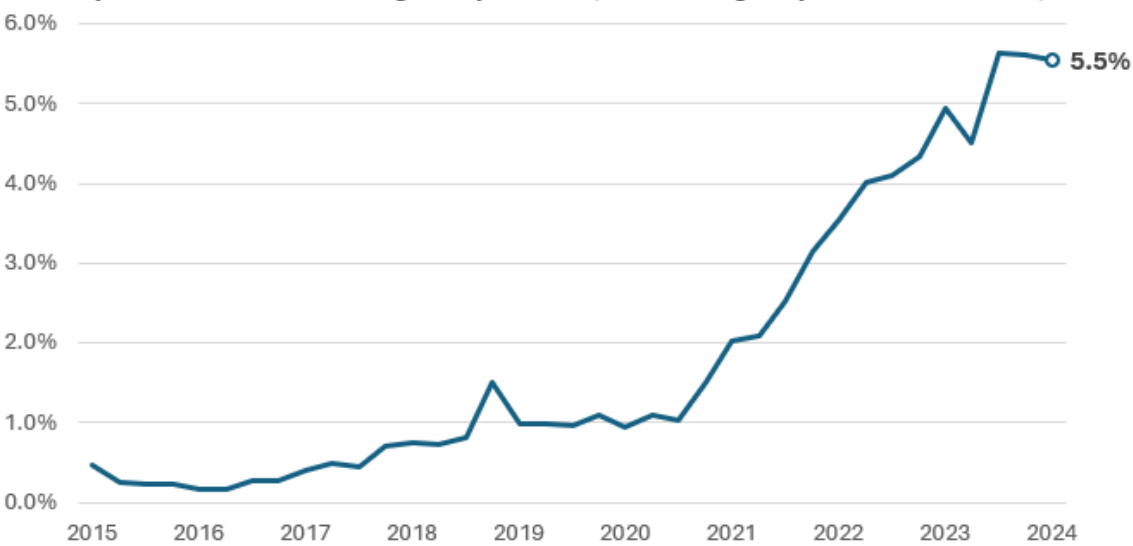
⁶ Notice of Testimony and Exhibits for Hearing on Motion to Stay at 2.

future. This is true in New Mexico, in the United States and across the globe as is demonstrated below.

EV Adoption in New Mexico. Source: Atlas EValuateNM Tool

EV Market Share in New Mexico (Quarterly)

Quarterly EV Market Share of New Light-Duty Vehicles (Includes Plug-In Hybrid Electric Vehicles)



Source: EValuateNM

One does not need to be an expert in statistics to look at this graph and see that “the EV market is definitely not “flat.” This may look different from the graph presented by the dealers in Ortiz Exhibit 1. Ortiz Exhibit 1 presents data only dating back to January 2022 on a bimonthly basis and distorts the y-axis maximum so that the graph appears to show less growth. However unlike the graph presented by Mr. Ortiz, which has unverifiable data sources and distorted graphics, the data presented here can be easily checked and verified on the publicly accessible [EValuateNM data portal](https://atlaspolicy.com/evaluatnm/).⁷ The data presented here, and also in the Climate Advocates’ testimony in the hearing, discredits the unfounded claims by the Movants that the Climate Advocates’ “evidence cited does not apply directly to Bernalillo County and New Mexico or is speculative or based on incorrect premises.”⁸

⁷ EValuateNM Tool Available at <https://atlaspolicy.com/evaluatnm/>.

⁸ Automundo de Garcia and New Mexico Automotive Dealers Association’s Joint Reply in Support of Motion to Stay at 4.

The publicly accessible data displayed in the graph above and found previously in testimony of the Climate Advocates confirms that New Mexico is experiencing a similar trend of EV adoption that is occurring around the country and globe. While EV market share and total EV sales reached all-time records in 2023, perhaps even more impressive and indicative of the growth of this market is a look back at the past five years. Since the start of 2019, **U.S. EV sales are up 385%** while gasoline-power vehicle sales are down 14%.⁹ This growth over the past few years continues to defy the expectations of expert forecasts. According to a March 2024 report from EDF examining forecasted EV adoption from 2019-2022, actual EV sales outperformed 85% of expert forecasts, including industry mainstays such as McKinsey, Bloomberg New Energy Finance and the International Energy Agency.¹⁰

The future of the market continues to look up, according to widely accepted market forecasts. Bloomberg forecasts 21% increase to the global EV market in 2024.¹¹ Cox Automotive's forecast declares that **“in the electric vehicle market, 2024 will be the year of more - more models, more incentives, more discounting, more advertising, more sales muscle”** and projects continued growth for the market domestically and abroad.¹² S&P Global is even more bullish in terms of expected year-over-year growth in 2024, expecting 39.5% growth in the EV market globally and 66.4% growth here domestically in the United States.¹³ All of these market forecasts paint a promising picture of what's ahead in 2024. And as was previously

⁹ US EV Sales Up 385% Since 2019, Normal “ICE” Vehicle Sales Down 14%, Clean Technica <https://cleantechnica.com/2024/02/14/us-ev-sales-up-385-since-2019-normal-ice-vehicle-sales-down-14/#:~:text=Going%20even%20further%20back%2C%20looking,ICEV%20sales%20were%20down%2014%25>

¹⁰ “Electric Vehicle Sales are Going Further, Faster than Experts Predicted”, EDF, March 2024 available at https://www.edf.org/sites/default/files/2024-03/EDF_Actual_2023_Sales_Compared_to_Forecasts_Mar2024.pdf

¹¹ Bloomberg New Energy Finance, “Electric Vehicle Market Looks Headed for 22% Growth this year” https://www.edf.org/sites/default/files/2024-03/EDF_Actual_2023_Sales_Compared_to_Forecasts_Mar2024.pdf

¹² Cox Automotive 2024 EV Forecast <https://www.coxautoinc.com/market-insights/forecast-2024/>

¹³ “2024 EV Forecast: The Supply Chain, Charging Network and Battery Materials Market” S&P Global, Dec 20, 2023.

mentioned, these very EV market forecasts have repeatedly proven themselves conservative in recent years.

New Mexico-specific forecasts illustrate a similar trend. In Public Service Company of New Mexico's service territory, which serves over 525,000 New Mexicans, EV adoption has outpaced the utility's forecasts. PNM's estimated market share has been below actual market share every year since 2020, with EV adoption in 2023 estimated to be 40% greater than what PNM had forecasted.

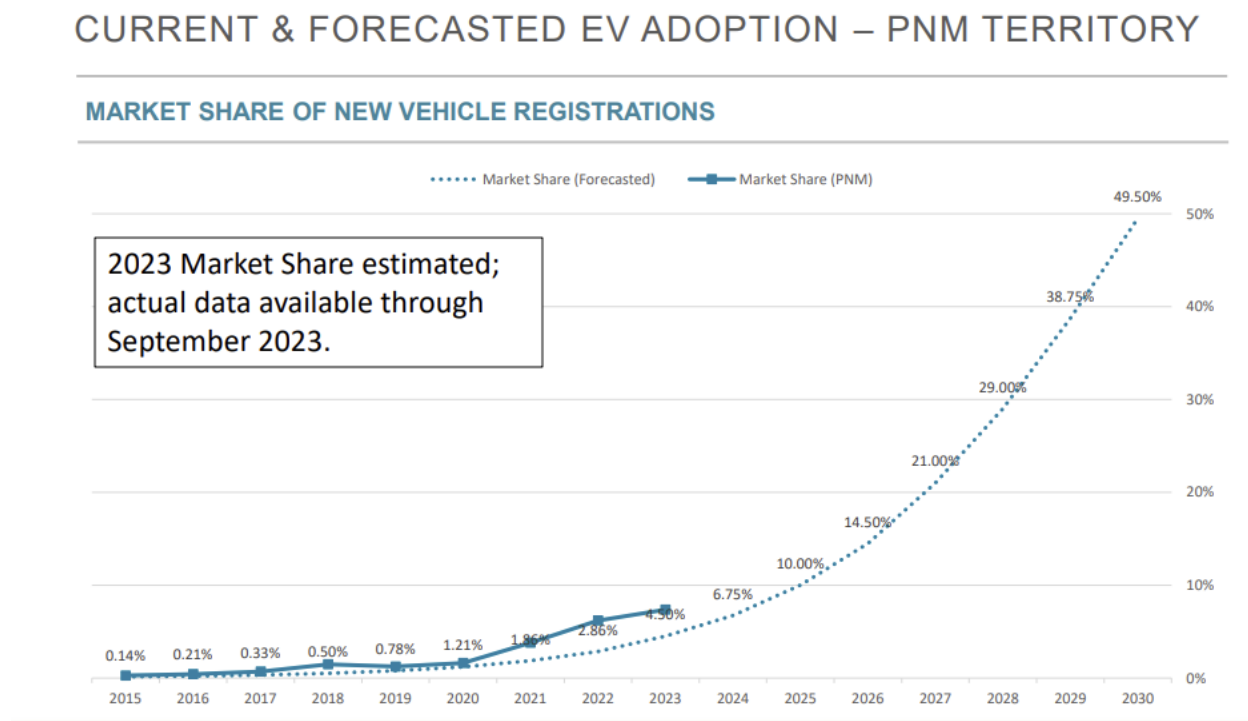
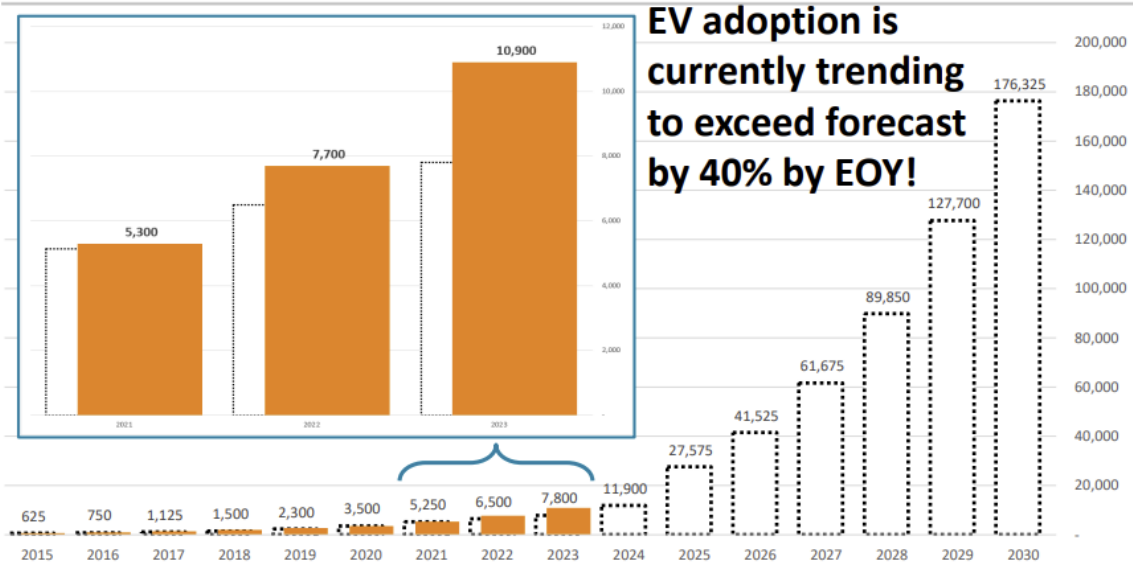


Figure 1: PNM EV projections and actual market share (Biannual stakeholder presentation slides, 12/5/23)

CURRENT & FORECASTED EV ADOPTION – PNM TERRITORY

CUMULATIVE ELECTRIC VEHICLES IN OPERATION



Final 2023 eVIO estimated; actual data available through September 2023.

Forecasted eVIO for previous years matches closely actual adoption.



Talk to us.



Figure 2: PNM EV projections, biannual stakeholder slides

III. EV Infrastructure is Expanding in Rural Communities

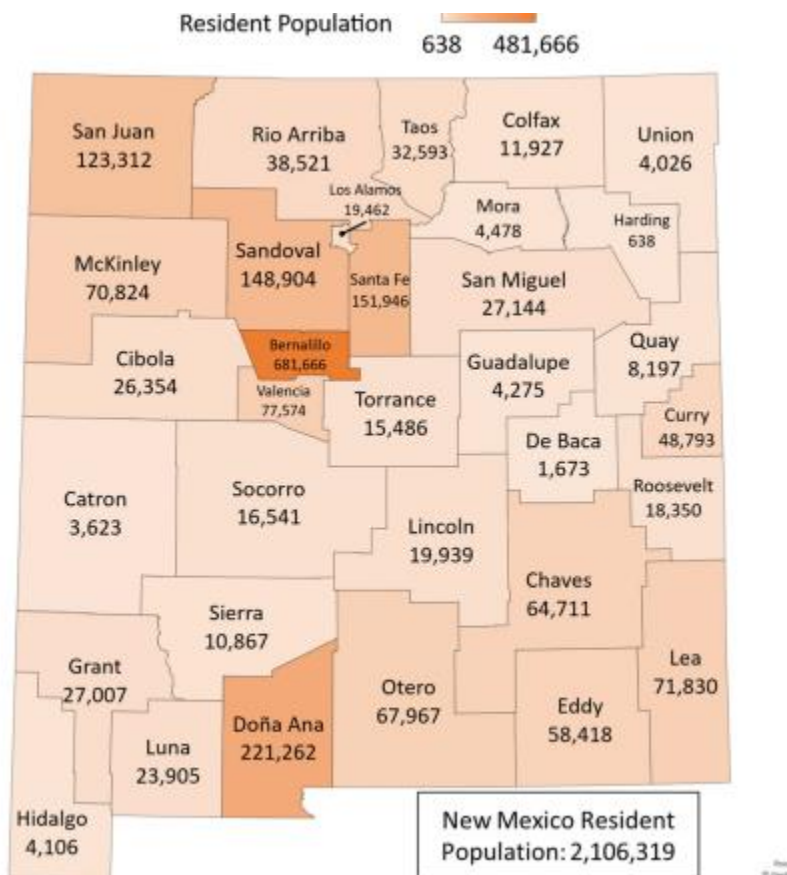
The Dealers have expressed concerns about the ability of charging infrastructure to support the growing demand of electric vehicles, which we already addressed extensively during the hearing. Since November 2023, there is even more evidence to support the fact that New Mexico will have more than enough charging stations to make widespread EV ownership feasible for both rural and urban residents.

a. Charging Infrastructure Buildout in Rural Areas

In January 2024, the Federal Highway Administration announced \$68 million in funding for charging infrastructure— on top of the millions of dollars already allocated for charging in

NM—going to mainly rural counties in New Mexico.¹⁴ At the moment, the majority of charging station build out that has occurred thus far has occurred within population centers—which makes sense given that is where the majority of EV purchases have occurred so far and where most New Mexicans live. New Mexico has already started to build out networks of charging stations across the state, and since the majority of charging happens at home, major corridor charging for longer trips is optimal. By the time ACC II comes into effect, the millions of dollars of funding and investments for charging stations will have come into fruition, further connecting the already vast network of charging in New Mexico.

Figure 3: Resident Population of New Mexico¹⁵



¹⁴ https://www.abqjournal.com/news/new-mexico-to-get-millions-for-ev-charging-stations/article_47fdcad8-b01c-11ee-a0d5-2305242ff1f0.html

¹⁵ <https://www.hsd.state.nm.us/wp-content/uploads/DB-22-Demographics.pdf>

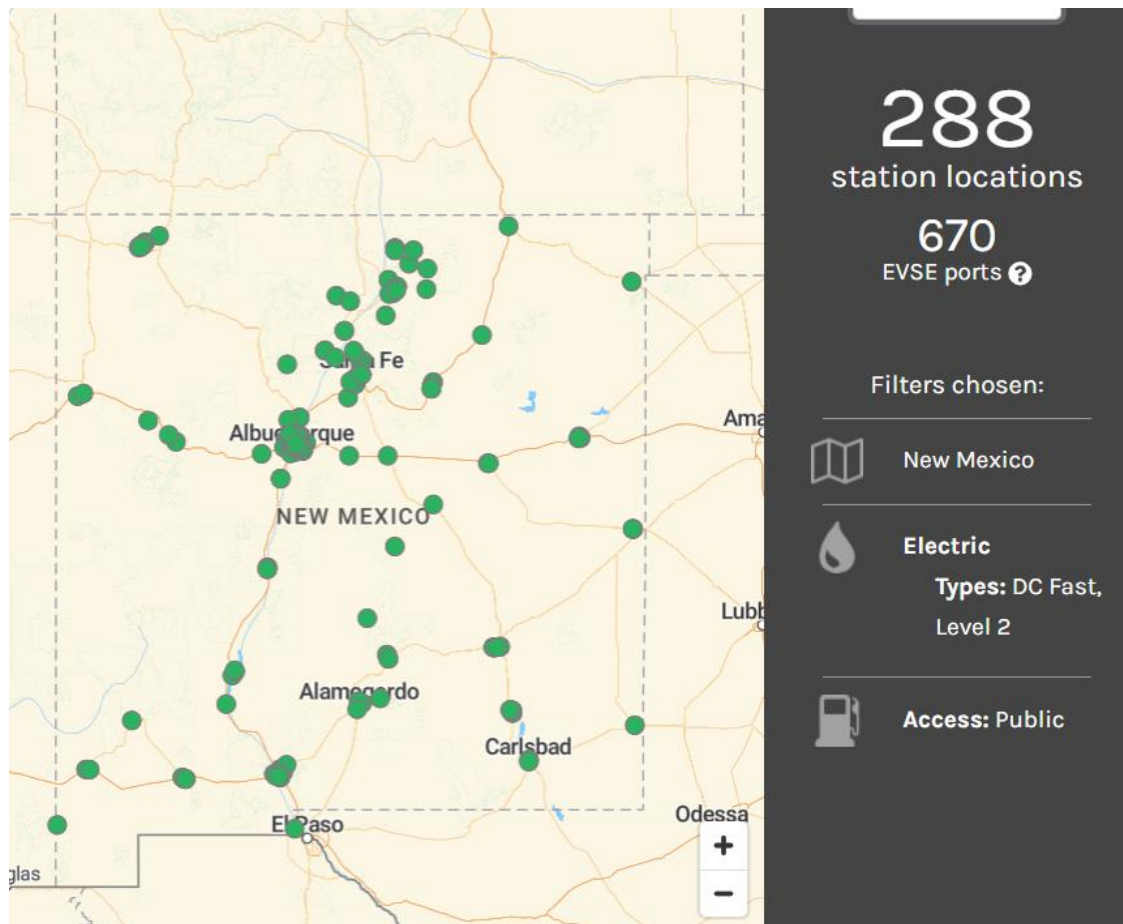


Figure 4: Public Charging Locations in New Mexico¹⁶

¹⁶ https://afdc.energy.gov/stations/#/analyze?region=US-NM&fuel=ELEC&show_map=true

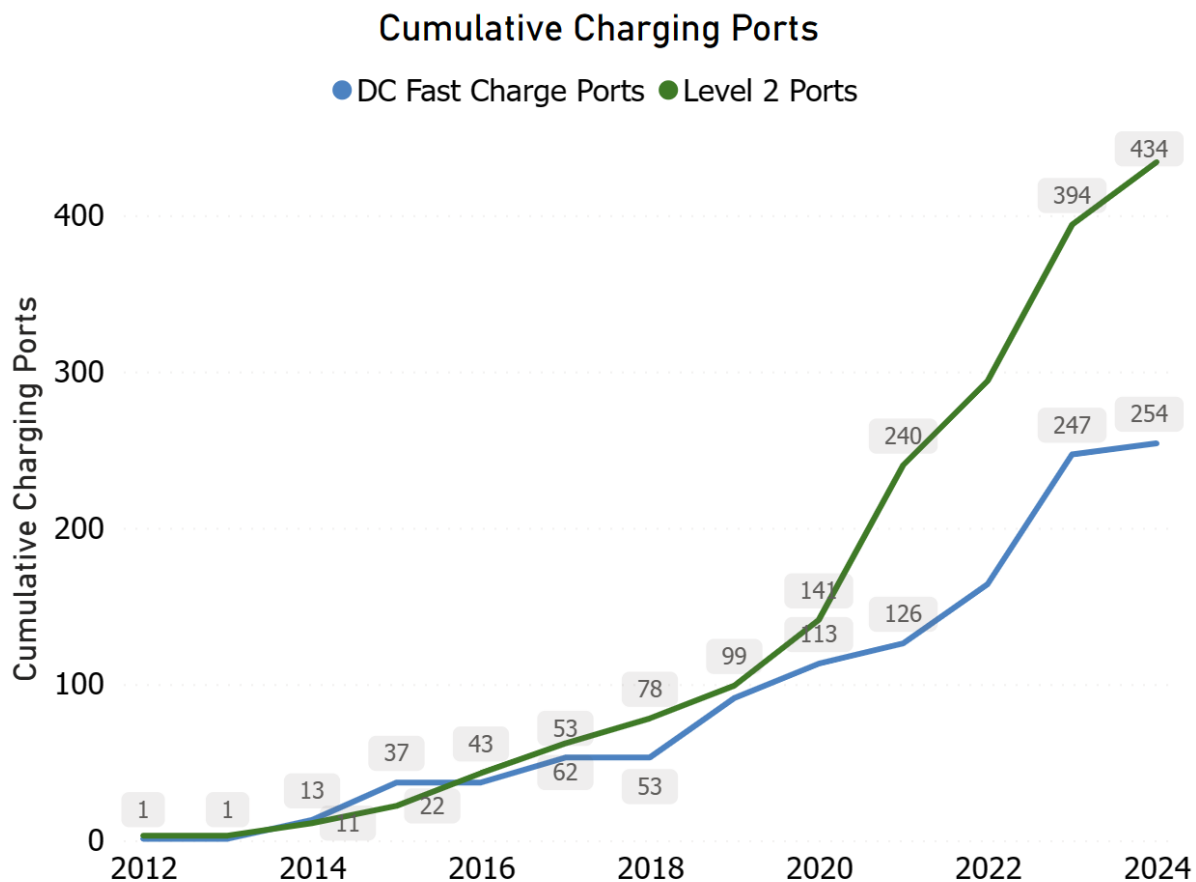


Figure 5: Cumulative Number of Charging Ports in New Mexico¹⁷

Since most rural drivers live in single-family homes, they are more likely to be able to install charging infrastructure at their home.¹⁸ And thanks to the recently announced federal tax credit for charging infrastructure, the majority of residents of rural areas in New Mexico will be eligible for an incentive of up to \$1,000 to install charging infrastructure at their home.¹⁹ Given that under ACC II, all new EVs will include a Level 2 charging station, this federal incentive makes installation of a charging port at home even more feasible.

¹⁷ <https://atlaspolicy.com/evaluatnm/>

¹⁸ <https://blog.ucsusa.org/samantha-houston/considering-an-ev-and-live-in-a-rural-area-here-are-five-things-to-know-about-charging/>

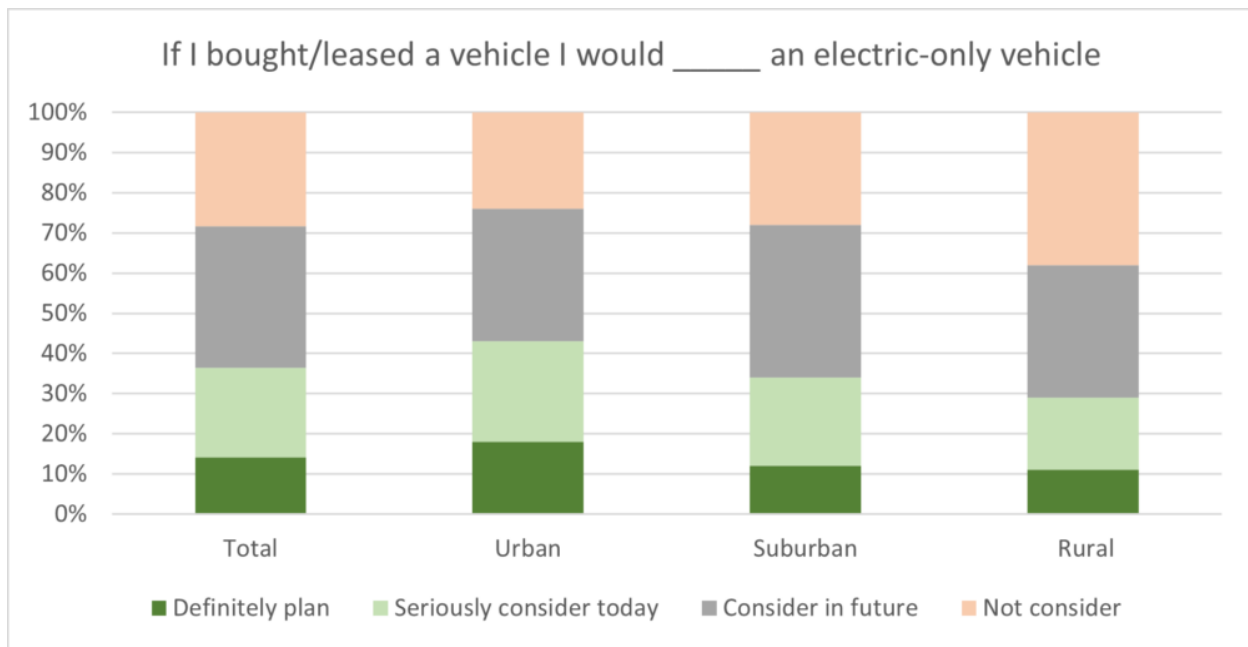
¹⁹ <https://www.anl.gov/esia/refueling-infrastructure-tax-credit>

b. Rural Interest and Choice in EV Ownership

Furthermore, let us reiterate a point that was discussed extensively during the November hearing: no drivers will be forced to purchase vehicles they do not want. Should a driver want to purchase a gasoline truck, they will be able to do so under this rule. ACC II is a regulation on *manufacturers* that is averaged across the whole state. That means urban dealers can sell more EVs than required and rural dealers can sell less, as long as the manufacturer meets its target across the state as a whole. Yet the dealers are still citing harm to rural drivers.

We discussed the challenges and opportunities for rural EV drivers in November, but will reiterate these points again. Rural drivers are increasingly interested in EVs, according to a 2022, Union of Concerned Scientists, Consumer Reports, EV Noire, and Green Latinos national survey asking US residents in rural areas whether or not they will purchase an EV in the near future. The survey results showed that 29% in rural areas would definitely or seriously consider an EV.²⁰

²⁰<https://blog.ucsusa.org/cecilia-moura/rural-drivers-vs-disinformation-three-facts-about-electric-vehicles-to-set-the-record-straight/>



²¹ Figure 6: Interest in Electric Vehicles Across Urban, Suburban and Rural Demographics

The dealers mention several concerns about rural driver EV charging. But many of these concerns are unfounded. The Union of Concerned Scientists has several blogs that address these concerns directly.²² They state that “to address this lack of familiarity and set the facts straight about major (or minor) concerns, having access to reliable information is of utmost importance. But we are off to a good start, because a large percentage of rural residents are indeed interested in EVs.”

c. Maintenance and Fuel Costs

Rural drivers travel longer distances and often have older vehicles which require more maintenance.²³ Since EVs are already cheaper to maintain, own and operate than gasoline vehicles, EV ownership would save rural drivers thousands of dollars over the life of the vehicle.²⁴ EVs have fewer moving parts and require significantly less repair and maintenance,

²¹ <https://blog.ucsusa.org/cecilia-moura/survey-shows-pathway-to-speeding-up-ev-adoption-in-rural-areas/>

²² <https://blog.ucsusa.org/series/evs-for-rural-drivers/>

²³ <https://blog.ucsusa.org/cecilia-moura/5-ways-rural-drivers-benefit-from-electric-vehicles/>

²⁴ <https://www.nrdc.org/bio/isabella-sullivan/cheaper-and-cleaner-electric-vehicle-owners-save-thousands>

which is important for rural drivers, who may be further away from access to repair shops and oil change shops.

Further, a new study from Coltura discusses the concept of “Superusers” of Gasoline— the top 10% of drivers in terms of gasoline consumption.²⁵ These drivers tend to be more rural drivers with lower incomes, and as you can see from the figure below, can spend more than 15% of their household income on gasoline compared to non-superusers. Therefore, these Superuser rural drivers stand to gain a significant amount of reduced transportation costs by switching to zero-emission vehicles.²⁶ And switching to an EV truck from a gasoline truck could save rural drivers over \$6,000 on refueling over the course of 5 years.²⁷

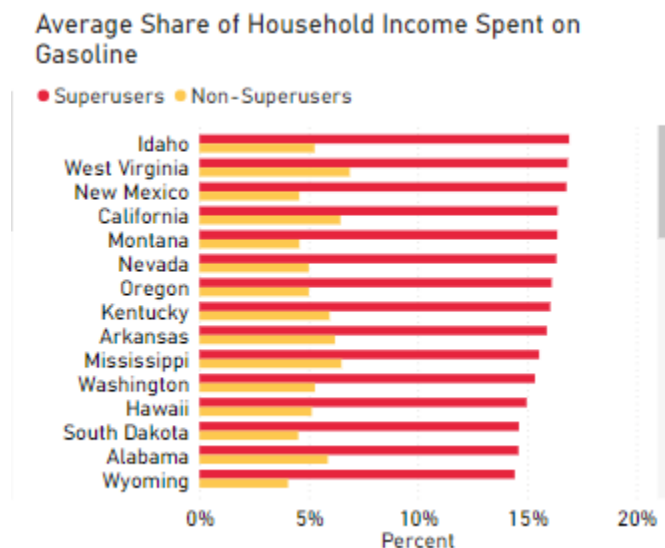


Figure 7.²⁸

d. EV Range

²⁵ <https://coltura.org/wp-content/uploads/2023/01/ColturaGasolineSuperusersReportJuly2021.pdf>

²⁶ <https://data.coltura.org/tools/data-insights>

²⁷ <https://data.coltura.org/tools/calculator> (assumptions, 19,900 VMT, 25 mpg, \$3.20 price of gas, truck, private driveway, electric truck)

²⁸ *Id.*

The Dealers repeat the argument, rebutted at length during the November hearing, that EVs do not have sufficient range to support rural drivers. As explained in the Written Direct Testimony of Kathleen Harris, Aaron Kressig, and Guillermo Ortiz (CA Exhibit 1), “The average range of an EV sold in the United States in 2022 was 290.8 miles. That represents enough range to drive from Carlsbad to Albuquerque without having to stop to charge. Individuals who need to travel even greater distances can find EVs with 350, 400, or even 500 miles of range. Plug-in hybrids—which are treated as ZEVs under ACCII—are another option for New Mexicans who take long road trips.” And as discussed above, the majority of charging infrastructure is located along major travel corridors, this range plus charging infrastructure should support the majority of trips drivers are taking throughout the state.

IV. State Policy Has Improved Considerably Since the Hearing

The Dealers’ testimony claims that in the time since the November hearing, “[they] have answers” regarding the trajectory of the EV market with additional infrastructure and financial incentives.²⁹ However, the testimony makes numerous false claims about the nature of the EV market in New Mexico and various aspects of the EV purchase state tax credit—indicating that they do not have the answers, or even the facts.

The Dealers consistently state false information about the state EV tax credit and diminish its importance. They characterize the New Mexico tax credit, which provides \$3,000 for new EVs until 2027, with the credit amount gradually decreasing and phasing out after 2029, as being “next to nothing.”³⁰ A \$3,000 incentive is more than 10% the median income of the average New Mexican,³¹ certainly not “next to nothing” for most New Mexicans. The Dealers also falsely state that the New Mexico tax credit is “the smallest state EV incentive in America.”³² New Mexico’s \$3,000 tax credit is equivalent to the state tax credit in Maryland³³ and exceeds the state incentives offered in Rhode Island³⁴ (\$1,500), New York³⁵ (\$2,000),

²⁹ EXHIBIT 1 TESTIMONY OF CARLOS GARCIA, page 2

³⁰ EXHIBIT 1 TESTIMONY OF CARLOS GARCIA, page 3

³¹ US Census Bureau, New Mexico Statistics 2021

³² EXHIBIT 1 TESTIMONY OF CARLOS GARCIA, page 4

³³ [ZEV \(maryland.gov\)](https://www.maryland.gov/zev)

³⁴ [Welcome | drive](#)

³⁵ [Drive Clean Rebate for Electric Cars Program - NYSERDA](#)

Delaware³⁶ (\$2,500) and Pennsylvania³⁷ (\$2,000-3,000, which are only available to income-qualified Pennsylvanians). The Dealers also neglect to mention that the majority of states have no state EV incentives available at all.³⁸

Additionally, the Dealers state that the manufacturer suggested retail cap of \$55,000 which vehicles may not exceed in order to qualify for the tax credit “excludes 75% of the EV market.”³⁹ It is unclear what this is a reference to, especially given the lack of a citation in the testimony, but of the top ten most popular EVs and PHEVs in New Mexico, as determined by the models with the greatest number of vehicles registered in the state, eight fall below a MSRP of \$55,000.⁴⁰ While there are certainly luxury EVs with a price tag over the MSRP cap, the data bears out that New Mexicans have a bevy of vehicle options which fall below the \$55,000 price cap.

Table 1: MSRP of the ten most popular BEVs and PHEVs in New Mexico

Make and model	MSRP for base model
Tesla Model 3	\$38,990
Tesla Model Y	\$43,990
Chevrolet Bolt EV	\$26,500
Tesla Model S	\$74,990

³⁶ [Delaware Clean Vehicle Rebate Program | Electric Vehicle Incentives \(driveelectricdelaware.org\)](https://driveelectricdelaware.org/)

³⁷ [Alternative Fuel Vehicles \(pa.gov\)](https://pa.gov/alternative-fuel-vehicles)

³⁸ “Electric Car Rebates and INcentives: What t Know by State”, Kelley Blue Book, February 26th, 2024, available at <https://www.kbb.com/car-advice/electric-vehicle-rebates-by-state/>.

³⁹ EXHIBIT 1 TESTIMONY OF CARLOS GARCIA, page 3

⁴⁰ Vehicle Deep Dive [EValuateNM – Atlas Public Policy \(atlaspolicy.com\)](https://atlaspolicy.com/)

Ford Mustang Mach-e	\$39,895
Toyota Prius Prime	\$32,975
Tesla Model X	\$79,990
Hyundai Ioniq 5	\$41,800
Toyota Rav4 Prime	\$43,690
Ford F-150 Lightning	\$49,995

Furthermore, the Dealers falsely state that the tax credit is only available to income-restricted buyers, which is simply incorrect.⁴¹ The EV tax credit is available to all New Mexicans purchasing qualifying vehicles that are below the MSRP cap. The Dealers also state that the structure of the tax credit means that “auto dealerships must float the state \$3,000 per EV sold until their next year’s taxes are due. So now we will become an interest free bank and a tax collector.”⁴² The Dealers ignore that the tax credit can be claimed by the customer as a deduction to their tax liability and a refund to the extent the credit is in excess of the customer’s tax liability. A Dealer is in no way required to “float the state \$3,000 per EV sold” but can rather choose whether or not to offer transferability of the tax credit from the customer to the dealer. If they decline to offer transferability, the tax credit is claimed by the purchaser when they file their taxes, and the auto dealer is not required to do anything related to the tax credit.

⁴¹ [HB0252TRS \(nmlegis.gov\)](https://legis.nm.gov/committees/transportation/HB0252TRS)

⁴² EXHIBIT 1 TESTIMONY OF CARLOS GARCIA, page 3

V. EVs Are Often More Affordable Than Internal Combustion Vehicles, Especially When Factoring in New Incentives

The Dealers attempt to relitigate the question of whether EVs are sufficiently affordable for New Mexico consumers, an issue already subject to exhaustive testimony in November. In the hearing in November, the Dealers expressed concerns that EVs would not be affordable for New Mexican residents to purchase. In Climate Advocates' Rebuttal testimony, we showed that the large majority of the vehicles listed at their dealerships are actually more expensive than many popular EV models. For example, the 2024 Nissan Leaf which is \$22,530 after the federal and New Mexico tax credit,⁴³ and a low-income New Mexican eligible for the recently approved Public Service Company of New Mexico EV rebate could obtain an additional \$4,000 rebate, reducing the price to \$18,530 MSRP.⁴⁴

Accessible affordability of electric vehicles will only be increased by the fact that on average, EV drivers save up to 65% on fuel costs and 40% on maintenance costs⁴⁵.

The PNM rebate discussed above is available for 225 income qualifying customers. A recent recommended decision for El Paso Electric (EPE) would make a \$4,000 low-income EV rebate available to income qualifying customers in southern New Mexico as well.⁴⁶ The proposal is available for 50 income qualifying EPE customers. Both the New Mexico state tax credit and the utility incentives for income-qualifying customers are exciting developments which have transpired since the Board met in November and voted to approve these regulations. Thus, revisiting these claims about affordability, we found that they are even less credible than they were in November, as new policies and declining vehicle prices have made it even more attainable to purchase an EV that is cheaper than the majority of the vehicles being sold by the dealers.

⁴³ <https://www.caranddriver.com/news/a60112732/2024-nissan-leaf-ev-tax-credit-eligible-price/>

⁴⁴ <https://nmpoliticalreport.com/news/utility-regulators-approves-pnms-transportation-electrification-program/>

⁴⁵ <https://atlaspolicy.com/wp-content/uploads/2024/03/Comparing-the-Cost-of-Owning-the-Most-Popular-Vehicles-in-the-United-States.pdf>

⁴⁶ NM PRC Proceeding 23-00231-UT Recommended Order

Additionally, the dealers have claimed that residents won't be able to purchase light-duty trucks due to the EV tax credit price cap of \$55,000. However, the majority of gasoline trucks being sold by the dealers are over this \$55,000 price point as well. Therefore, stating that New Mexicans will only be able to afford buying new trucks if they are sold for less than \$55,000 is disingenuous. Additionally, given that both the Pro and XLT models of the F-150 Lightning fall below \$55,000, the claim that "not one pickup truck qualifies for this new incentive" is blatantly false. Additionally, customers will be able to utilize the federal tax credit to purchase qualifying trucks over \$55,000, since that credit caps pickup trucks at \$80,000.⁴⁷

The claims that electric vehicles are not affordable compared to an internal combustion vehicle are misplaced considering almost every dealership's cheapest car is still more expensive than the affordable EV model, the Nissan Leaf at \$22,530, after qualifying federal and state incentives. For low-income New Mexicans in PNM or El Paso Electric's service territory, the price could be as low as \$18,530.

a. Dealers Are Still Not Offering Affordable Electric Vehicles

We have reviewed the inventories of six New Mexican dealers that are opposing ACC II and again found that only a small percentage of their vehicles sold are under \$30,000, and they are still not stocking electric vehicles.

GARCIA AUTOMOTIVE⁴⁸

There are currently 749 new vehicles listed on their website. There are only 10% (81) of their vehicles being sold for under \$30,000. Over 50% (376) vehicles are over \$40,000. Of the only 5 trucks listed on their site, 77% of them are over \$55,000. **Only 2.8% of the vehicles listed on their site are electric.**

AMIGO CHEVROLET⁴⁹

⁴⁷ [Credits for new clean vehicles purchased in 2023 or after | Internal Revenue Service \(irs.gov\)](https://www.irs.gov/credits-new-clean-vehicles-purchased-2023-or-after)

⁴⁸ <https://www.garciacars.com/new-inventory/index.htm>

⁴⁹ <https://www.amigoautomotive.com/new-inventory/index.htm?status=1-1&normalBodyStyle=Truck&internetPrice=50000-59999>

There are 109 vehicles currently listed on their website. 64% (70) of the vehicles are over \$40,000 and 60% of the trucks currently on the lot are over \$55,000. They have no cars on the lot under \$30,000 and the cheapest vehicle currently on the lot is the 2024 Chevrolet Trailblazer LT for \$33,185. **There are no electric vehicles listed on their site.**

AMIGO CHRYSLER DODGE JEEP RAM⁵⁰

This dealership in Gallup sells no vehicles under \$39,000. Almost all of the vehicles listed for this dealership are over \$40,000, with their cheapest model, a 2023 Jeep Cherokee Altitude LUX 4x4, selling for \$39,290. Of the 21 trucks they sell, 14 of them (66%) are over \$55,000. **They have 15 hybrids and no zero emission vehicles.** This fact belies Ms. Garcia's testimony in November that she would be unable to obtain *any* conventional vehicles if ACC II were adopted.

QUALITY BUICK⁵¹

There is currently only one vehicle on the lot that has an MSRP under \$30,000, the 2023 Buick Encore SUV for \$28,190. 75% (127) of the vehicles listed on their website are over \$40,000. Furthermore, 75% of the 102 trucks listed on their site are over \$55,000. **They have one electric vehicle listed.**

RICHLAND CHEVROLET⁵²

Of the 137 vehicles listed on Richland Chevrolet's website, 89 of them (65%) are over 40,000 and 74% of their 77 trucks listed are over \$55,000. **They have two electric vehicles listed.**

⁵⁰ <https://www.amigocdj.com/new-inventory/index.htm?normalBodyStyle=Truck&internetPrice=55000-85000>

⁵¹ <https://www.qualitybydilorenzo.com/inventory/new-2023-buick-encore-gx-preferred-front-wheel-drive-suv-kl4mmbs27pb109080/>

⁵² <https://www.rlchevrolet.com/all-inventory/index.htm?compositeType=new&normalBodyStyle=Truck&internetPrice=55000-105000>

CAPITOL FORD⁵³

Capitol Ford sells none of its 265 vehicles listed on their website for under \$30,000 with its cheapest vehicle a 2024 Ford Escape Active's MSRP at \$30,840. They sell 74% of its vehicles for over \$40,000. 53 of its 70 trucks listed (75%) are over \$55,000. **They have one electric vehicle listed: a van.**

VI. Concerns Over Vehicle Inventory in ACC II States Are Misinformed

a. ACC II Regulations Won't Take Effect Until MY2027

The Movants have stated that “this rule cannot be fixed while our appeal is pending and the longer we wait to address its major flaws, the more irreparable harm will be caused”.⁵⁴ The claim that irreparable harm will come to the dealers before the Court of Appeals reaches a decision is false given the timeline of the Rule and the appeal process. The ACC II regulations as adopted by the Boards, do not take effect until vehicle model year 2027 (approximately calendar year 2026). There are no requirements on automakers placing vehicles for sale in New Mexico prior to the start of the program— giving the Court of Appeals plenty of time to reach a decision before the rule becomes enforceable. A stay *would* be harmful to regulated parties that want to participate in the voluntary early action credit program, however.

b. Misconceptions About Stellantis' Inventory

Witness Teri Garcia states that “In other clean car states, Stellantis has taken the approach to stop stocking traditional vehicles in dealerships.”⁵⁵ We are unable to confirm this statement. There are a few important things to consider: 1) the ACC II rule will not take effect until model year 2027, so there is no reason within the regulation for Stellantis to drastically increase EV sales in clean car states before then; 2) it is simply untrue that Stellantis dealers in ACC II states are only providing electric cars, as is easily proven by looking at dealer inventories in states that adopted the regulations years ago; 3) Stellantis is just one automaker, and no similar

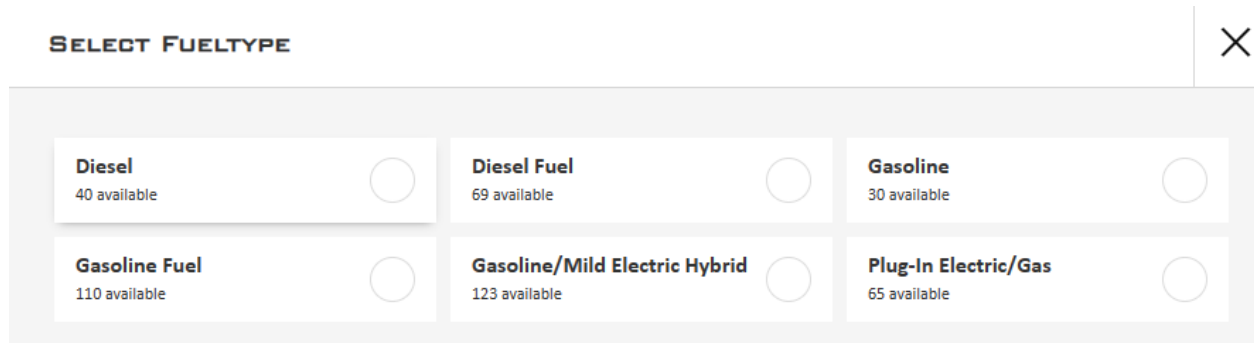
⁵³ <https://www.capitolfordsantafe.com/searchnew.aspx?pricerange=55000-101000&q=truck>

⁵⁴ EXHIBIT 1 TESTIMONY OF CARLOS GARCIA, page 4

⁵⁵ EXHIBIT 3 TESTIMONY OF TERI GARCIA, page 2

claims have been made about other automakers; and 4) Stellantis has not expressed concerns during the New Mexico clean car hearings about feasibility of the rules. To the contrary, Stellantis announced on March 19th, 2024 their commitment to implement the Advanced Clean Cars II rules in partnership with CARB—including providing investments in EV charging infrastructure in states who have adopted the standard.⁵⁶

Teri Garcia’s suggestion that Stellantis dealers only stock EVs in ACC II states is disproven by simply looking at available inventory in states where the ACC II rules have been adopted. Below are screenshots of inventory, categorized by vehicle fuel type, available at various Stellantis dealerships in California, Oregon, and Colorado; all states where ACC II has been adopted. From these screenshots it is apparent that dealerships are continuing to offer a majority of gasoline and diesel fueled vehicles, counter to Teri Garcia’s inaccurate claim of ACC II leading to no gas cars for Stellantis dealerships.



The screenshot shows a web interface for selecting a vehicle fuel type. At the top, there is a header "SELECT FUELTYPE" and a close button (X). Below the header, there are six buttons arranged in a 2x3 grid, each representing a different fuel type and the number of vehicles available. Each button has a radio button next to it.

Fuel Type	Available Count
Diesel	40 available
Diesel Fuel	69 available
Gasoline	30 available
Gasoline Fuel	110 available
Gasoline/Mild Electric Hybrid	123 available
Plug-In Electric/Gas	65 available

Figure 8: New inventory available at Dodge Chrysler Jeep Ram of Elk Grove, California ([New Vehicle for Sale in Elk Grove, CA | Elk Grove Dodge Chrysler Jeep RAM \(elkgrovecdjr.com\)](https://www.elkgrovecdjr.com/new-vehicle-for-sale-in-elk-grove-ca))

⁵⁶ <https://www.gov.ca.gov/2024/03/19/stellantis-partners-with-california-on-clean-car-standards/>

Select Fueltype

×

Diesel

15 available

Diesel Fuel

91 available

Gasoline

9 available

Gasoline Fuel

110 available

Gasoline/Mild Electric Hybrid

66 available

Clear Selections

View 291 Matches

Figure 9: New inventory available at Haddad Dodge Ram of Sacramento, California ([New Vehicles for Sale | Haddad Dodge Ram | Bakersfield, CA](#))

Fuel Type

⊖

☐ Diesel 40

☐ Gasoline 100

☐ Plug-In Hybrid 69

☐ Other 21

Figure 10: New inventory available at Chrysler Dodge Jeep Ram of Portland, Oregon ([New Chrysler Dodge Jeep & Ram for Sale in Portland OR \(timecdjr.com\)](#))

< Fuel Type

☐ Diesel (9)

☐ Gasoline (95)

☐ Hybrid (5)

Figure 11: New inventory available at Chrysler Dodge Jeep Ram of Salem, Oregon ([New Chrysler, Dodge, Jeep, or Ram for Sale in Salem, OH - Salem CDJR](#))

FUEL TYPE	^
Diesel	(42)
Gasoline	(71)
Plug-in Hybrid	(26)

Figure 12: New inventory available at Chrysler Dodge Jeep Ram of Pueblo, Colorado ([New Chrysler, Dodge, Jeep, Ram or Wagoneer for Sale in Pueblo, CO - Pueblo Dodge Chrysler Jeep Ram](#))

Fuel Type


☐ Diesel 8

☐ Gasoline 10

☐ Plug-In Hybrid 2

[About Us EV Types \(Electric & Hybrids\)](#)

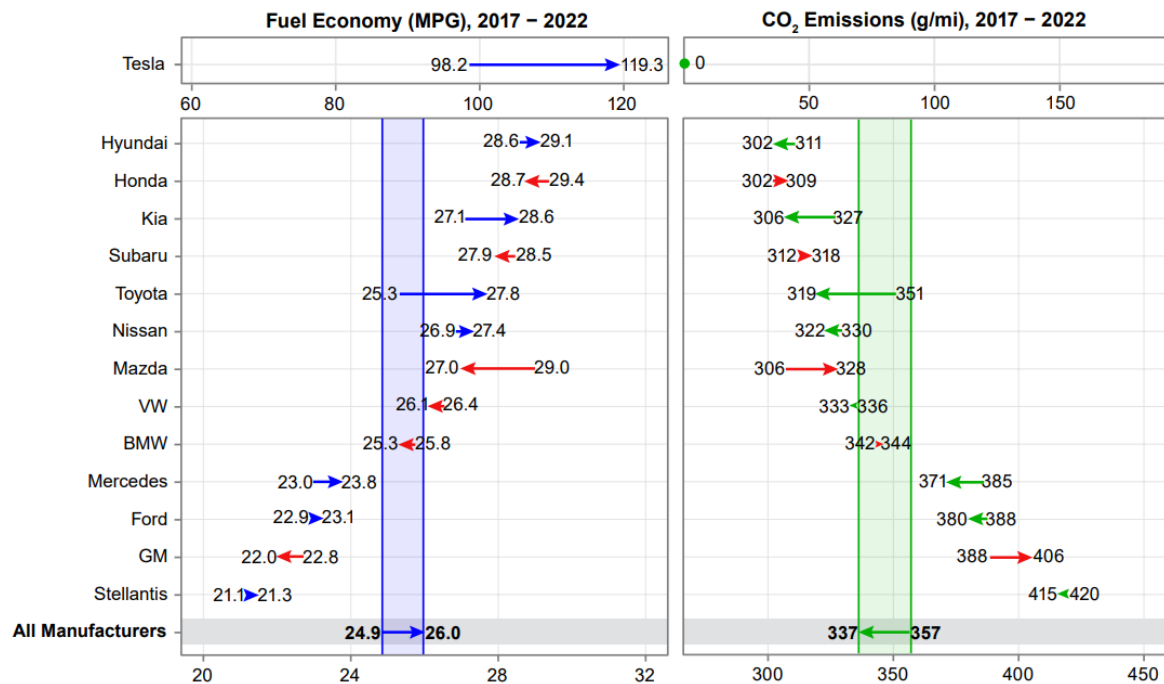
Figure 13: New inventory available at Phil Long Chrysler Jeep Dodge Ram in Trinidad, Colorado ([New Inventory | Phil Long Chrysler Dodge Jeep Ram \(phillongmotors.com\)](#))

But furthermore, Ms. Garcia fails to highlight another major consideration as to why Stellantis may be “not stocking traditional vehicles in dealerships,”—Stellantis as a company has the highest new vehicle average CO2 emissions— at an average of 415 g/mile— of large manufacturers, according to the EPA Automotive Trends Report.⁵⁷ Stellantis is currently in compliance with the federal greenhouse gas (GHG) requirements because they are able to purchase and bank credits across model years. But starting in Model Year 2026 (a year before ACC II takes effect in New Mexico), the federal greenhouse gas standards will be 161 g/mi of

⁵⁷ <https://www.epa.gov/system/files/documents/2023-12/420s23002.pdf>

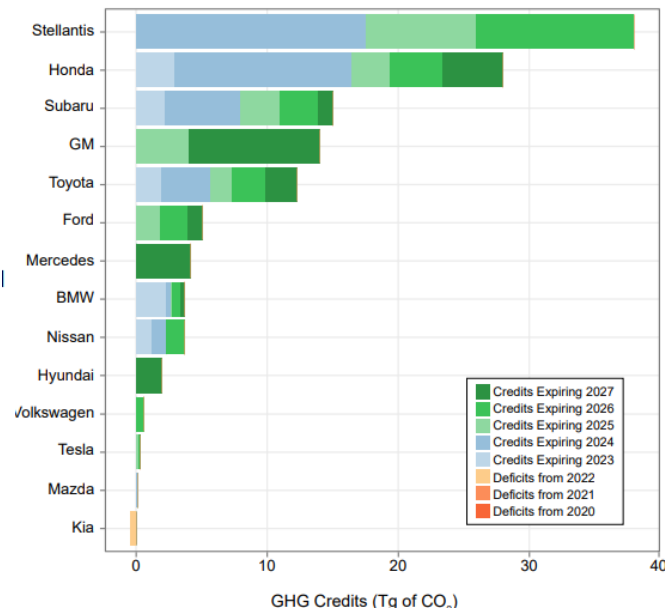
CO₂. Given that Stellantis is far from meeting that requirement, it is likely that the company will need to significantly increase sales of low and zero emission vehicles to comply with federal standards within the next few years. It is clear Stellantis has a GHG problem that has nothing to do with ACC II.

Figure ES-4. Changes in Estimated Real-World Fuel Economy¹ and CO₂ Emissions for Large Manufacturers



¹Electric vehicles, including Tesla's all-electric fleet, are measured in terms of miles per gallon of gasoline equivalent, or mpge.

Figure ES-6. GHG Credit Balance for Large Manufacturers, after Model Year 2022



Therefore, it stands to reason that Stellantis may be sending more “non-traditional” vehicles to their dealerships for the sole purpose of achieving compliance with federal GHG standards—not because of the ACC II regulations.

Ms. Garcia states that “Not one auto manufacturer has committed to participating in ACCII, as you were led to believe.” This is categorically false. In fact, *Stellantis* itself is supporting the transition to zero-emission vehicles and the ACC II regulations. On March 19, 2024, Stellantis announced a partnership with California to get more clean cars on the road and invest \$6 million in charging infrastructure in states that have adopted Advanced Clean Car rules, and will “comply with California’s zero-emissions light-duty vehicle sales requirements through 2030 even if CARB is unable to enforce its standards as a result of judicial or federal action”⁵⁸ They will also “undertake additional actions to support ZEV adoption, including discounts on new cars for car-share programs in disadvantaged communities, financial support of brand-neutral ZEV public awareness campaigns, ride-n-drive events, and dealership actions to ensure availability of ZEVs.” This indicates that Ms. Garcia’s concerns will be directly addressed by Stellantis itself.

⁵⁸ <https://www.gov.ca.gov/2024/03/19/stellantis-partners-with-california-on-clean-car-standards/>

VII. The ACC II Standards Are Practical and Can Be Achieved

In their testimony, the Movants stated that getting to 43% sales in two years “is impossible”⁵⁹. This claim that dealers will have to sell exactly 43% by MY2027 is misplaced due to the credits and flexibilities included in the Rule that make it feasible. As we explained during the hearing in November, ACC II includes specific credits, such as environmental justice credits, that create flexibilities in the sales requirement. According to our projections from Shulock Consulting with the flexibilities in place, a more accurate sales requirement auto manufacturers would meet is actually 26%.

	2027	2028	2029	2030	2031	2032
ACC II Requirement Before Flexibilities	43%	51%	59%	68%	76%	82%
177 State Projection After Flexibilities	26%	35%	45%	57%	76%	82%

It is important to remember that up to 9% of the sales requirement in MY 2027 can be met through the sale of PHEVs. Overall, this notion that the sales requirement will be exactly 43% by MY2027 just demonstrates the Movants’ misunderstanding of the Rule and the applicable flexibilities, failing to take into account the existing mechanisms in ACC II that have made it even more achievable.

Further, as explained above, while *some* MY 2027 vehicles will start showing up on Dealers’ lots in 2026, the evidence indicates that dealers will continue selling new MY 2027 vehicles in 2027, 2028, and even later, thereby offering additional time for a gradual transition. Clearly, the Dealers will not suffer irreparable harm for years, given the long lead-time before the rule actually takes effect.

Further undermining any suggestion that ACC II will cause irreparable harm is EPA’s greenhouse gas rule, announced earlier today. EPA’s standards are technology neutral and focused on reducing emissions from the tailpipes of cars and pickups. Automakers can meet the requirements through various technologies, including conventional gasoline hybrids, plug-in hybrid electric vehicles, fully electric vehicles, and cleaner gasoline vehicles. EPA has modeled several potential pathways to understand how automakers may meet the annual requirements.

⁵⁹ EXHIBIT 2 TESTIMONY OF KEN ORTIZ, page 2

Automakers choosing to focus on an electrification pathway could comply with EPA’s standard by increasing their share of battery electric vehicles and plug-in hybrid vehicles by 2032. EPA notes that automakers may chose this pathway due to the rapidly declining costs of producing EVs, the significant domestic and global investments from automakers in EV manufacturing and increasing demand, and billions of dollars from federal investments, such as the Inflation Reduction Act (IRA) and Infrastructure Investment and Jobs Act (IIJA), which are helping to further decrease the upfront costs of EVs, expanding widespread access to charging infrastructure, and incentivizing new investments battery manufacturing and the EV supply chain here in the United States. Manufacturers that opt for this compliance pathway would likely aim to sell between 32 and 34% EVs (including battery electric and plug-in hybrids) by 2027, bringing them close to the targets in ACC II nationwide. Keeping ACC II in place in New Mexico will ensure that New Mexico consumers reap the benefits of electrification first.

Table 3: Projected new vehicle technology penetrations for final light-duty vehicle GHG standards for varying scenarios¹³³

Pathway	Technology	2027	2028	2029	2030	2031	2032
Pathway A - Higher BEV Pathway (central analysis case)	ICE	64%	58%	49%	43%	35%	29%
	HEV	4%	5%	5%	4%	3%	3%
	PHEV	6%	6%	8%	9%	11%	13%
	BEV	26%	31%	39%	44%	51%	56%
Pathway B - Moderate HEV and PHEV Pathway	ICE	62%	56%	49%	39%	28%	21%
	HEV	4%	4%	3%	6%	7%	6%
	PHEV	10%	12%	15%	18%	24%	29%
	BEV	24%	29%	33%	37%	41%	43%
Pathway C - Higher HEV and PHEV Pathway	ICE	61%	41%	35%	27%	19%	17%
	HEV	4%	15%	13%	16%	15%	13%
	PHEV	10%	17%	22%	27%	32%	36%
	BEV	24%	26%	30%	31%	34%	35%

See <https://www.nrdc.org/bio/kathy-harris/epa-enters-clean-car-era>

VIII. Conclusion

It is clear both from the evidence presented to the Environmental Improvement Board in November and from the evidence presented in this testimony that denying a stay of the ACC II rule would in no way inflict irreparable harm to the auto dealers of New Mexico, but delaying these rules **would** cause significant harm to New Mexican people, climate and economy.

We urge the board to deny the Motion and protect their decision to put New Mexico in the best position possible for the inevitable transition to an affordable, healthier zero-emission future.

Dated: March 20, 2024

I declare under penalty of perjury that the foregoing is true and correct.

A handwritten signature in cursive script that reads "Kathy Harris".

Kathleen Harris

A handwritten signature in cursive script that reads "Aaron J. Kressig".

Aaron Kressig

/s/ Deborah Kapiloff

Deborah Kapiloff

QUALIFICATIONS

DEBORAH KAPILOFF

Experience: Western Resource Advocates, Clean Energy Program

Transportation Electrification Policy Analyst, June 2021 – present

My role is to research, develop and advocate for policies and mechanisms to promote transportation electrification and greenhouse gas emission reductions from the transportation sector in the Interior West. This involves representing WRA in regulatory, legislative, and other policy forums and analyzing transportation electrification policies in order to understand their overall feasibility, emission reduction potential, and impact on the electricity grid.

Regional Markets Intern, Western Resource Advocates, Salt Lake City, UT
November 2020 – June 2021

As a Regional Markets intern, I wrote a policy paper detailing best practices and considerations for greenhouse accounting in the West. My paper was based on my research into how state climate goals and emissions reductions commitments can be accommodated in regional wholesale electricity markets through robust greenhouse gas accounting.

Research Intern, Zero Emission Resource Organization, Oslo, Norway
January – February 2020

In this role I researched European Union carbon markets' effects intersections with country and sector-specific emissions reductions goals, as well as assisted staff with research on various topics, including public transit electrification. Specifically, I worked with the city of Oslo on developing recommendations for the electrification of its ferry fleet.

Waste to Wealth Intern, Institute for Local Self-Reliance, Washington, D.C.
June 2019 – August 2019

My position with the Institute for Local Self-Reliance involved performing community outreach and working with municipalities to develop waste reduction strategies. Additionally, I worked with environmental justice groups to create a mapping tool illustrating the effects of waste policy on low-income communities and communities of color.

Svoboda Legal Scholar, Mitchell Hamline School of Law, Saint Paul, MN
June 2018 – August 2018

As a Svoboda Legal Scholar, I assisted attorneys with clients seeking legal aid for a variety of issues, including notices of utility disconnection, eviction, and other problems facing low-income individuals. Additionally, I aided in creating know-your-rights educational materials about these topics.

Education: Bachelor of Arts, Political Science and Environmental Studies, Concentration in Social Science,
St. Olaf College, Northfield, MN, May 2020

CLIMATE ADVOCATES
EXHIBIT B

Statements from New Mexico Residents Regarding Electric Vehicles

These anecdotes were collected by email survey and survey respondents declared under penalty of perjury that their responses were true and correct.

“My name is Andrew Stone. I live in Albuquerque, New Mexico. I've lived in NM for 50 years and I retired from a 27 year software profession to work pro bono in ensuring New Mexicans can share the benefits of the energy transition. I ordered my Tesla Model S in April 2009 and waited 3.5 years for it to be delivered here in New Mexico. It arrived via a third party trucking company on December 8th, 2012, the first Model S Tesla in New Mexico. I am on my 12th year of owning this car - I have had very little maintenance cost, and I charge it at home using a standard 50amp circuit - no special charger. I can get to Rio Arriba and back and charge easily in Santa Fe. I have convinced many friends to get an EV as they see the joy I have in accelerating fast while knowing that I am not using fossil fuels. I treat the car like a pick-up - going to Lowe's and getting plywood and supplies. Did I mention I love this old thing - even with it's dents and scratches?”

“My name is Paul Biderman. I live in Santa Fe, New Mexico. I'm a semi-retired attorney and have lived in New Mexico since 1970. My wife and I decided to buy an electric vehicle in late 2018, and focused on the Chevy Bolt. We had read good things about its performance, and it was within our price range. But we had to go to several dealers before we found one available for sale. The sales staff said they had gotten several in from California, and we immediately agreed to purchase it. We also knew that the then-current federal tax rebates would be expiring, so we bought it before that happened. We were not offered any other incentives. The salesman who worked with us was friendly enough, but not all that well-informed. We have enjoyed having this car very much. Even after the \$7000 tax credit, it initially cost more than a comparably sized car. But we have undoubtedly made up the difference in price by the very low maintenance cost and the lower cost of powering it with electricity, using our home charger (which is itself powered by our solar panels) rather than gasoline. Our only significant maintenance cost has been buying tires. The only major problem, a non-functioning display screen, was corrected through a free recall service. We are also very happy with the car's performance. It is very responsive and easy to drive, handles wet roads very well, and is well designed for visibility and carrying baggage. We will keep this car as long as we can.”

“My name is Marilyn O'Boyle. I live in Albuquerque, New Mexico. I have lived in Albuquerque most of my life and am a retired music teacher. I bought a used Nissan Leaf in 2018, and then last year traded it in at Carmax for a Chevy Bolt, which has more range. I was not offered any incentives or special deals, but it sure would have helped! I have loved both of my EVs. The 2013 Leaf drove really well and I had no problem with it, but it didn't have enough range for my

needs. That's why I traded it in for the 2022 Bolt, which has a range of 250 - 300 miles. It's a wonderful car, fun to drive, very safe and really trouble free. I charge it at home with a fast charge outlet I had installed in my garage. I could use a regular slow charger, but I got the fast one for the Leaf, so it works really well and fast.”

“My name is Alissa Keny-Guyer. I’ve lived in Santa Fe NM since July 2021. Prior to that, I was a state legislator in Oregon, where I had to drive one hour from my home in Portland to the Capitol in Salem during week days, which incentivized me to buy a long range Tesla. I had a Nissan Leaf prior to 2018, but with its limited mileage, I had to charge it in Salem to get home. So I was in the first 24 hours of signing up for the Tesla Model 3, and had to wait nearly 2 years for it. I’ve been so happy with my Tesla. I installed a charger at my home in Portland, and again at home when I moved to Santa Fe. My only concern is when I drive very long distances and need to factor in whether I can charge it along the way or need to use our gas powered car.”

“My name is Pat Walsh. I live in Raton, New Mexico. In 2023, I tried to purchase a new Chevy Bolt EV from the only new car dealership in Raton (Phil Long Ford), but since it was a new Chevy they referred me to a Chevy dealership in Colorado Springs. I placed a downpayment in January 2023, but as of September the car still hadn't been delivered. So I canceled that purchase and decided to look for a used EV. The most economical one I found was a 2019 Hyundai Kona at a dealership in Illinois. I purchased it in October 2023 and paid to have it shipped to me in Raton. The Hyundai Kona is my second EV. The first was a SmartforTwo EV that I purchased from a dealership in Texas (and paid for the shipping). I love having an EV--it's fun to drive and I charge it in my garage. The Hyundai Kona is my second EV. The first was a SmartforTwo EV that I purchased from a dealership in Texas (and paid for the shipping). I love having an EV--it's fun to drive and I charge it in my garage. I use the Chargepoint app to find charging stations. However, one charging station I tried to use at an Albuquerque hotel apparently had been hacked and the QR code sign which I attempted to use was a scam site and I had to cancel my debit card as a result. I was able to find another nearby charging site, but it was still several blocks away. More charging stations are needed to provide EV drivers with the service they need. On an earlier trip to Colorado, I experienced driving to a charging point only to find that all the chargers were already in use.”

“Answering anonymously. I live in Albuquerque NM. I first tried to buy an EV in February 2022. There were none available and when they did come in they were sold before they even got to the lot. People were signing up to buy them so the ones that came in were already going to people. So you couldn't just walk in and buy one. I ordered a new Hyundai Ioniq5 in March 2022, and was told it would take 9 months to get here. In August they called to tell me it would be another 6 months! But they had one similar to the one I ordered that someone had just decided not to buy after all, and they offered it to me and I took it. The salespeople I met were great and enthusiastic about the cars. We installed a fast charger in our house for about \$600 because my

husband did the work. That's made all the difference. Charging infrastructure needs serious improvement. Sometimes the public chargers aren't working. Each company's chargers requires a different app on your phone (why can't they just be like gas stations where you just swipe your card and charge?!). I worry about that. That said, the newer cars have huge ranges and are getting better all the time. Mine goes 300 miles on a full charge, so I use about 50% of the battery going to Santa Fe AND back. I've taken it to Taos and Socorro and to Santa Fe many times, but haven't ventured farther than that quite yet."

"My name is Ella Joan Fenoglio. I live in Albuquerque, New Mexico. I am a lawyer and drive short trips to the courthouse and other locations. In addition to trips for my job, I shop nearby and attend church close. The 2015 Prius plug-in hybrid has been perfect for me. I often spend days driving to various locations, all on the battery that's been charged quite easily in my garage - just a regular voltage plug. I return to my home office and plug in the car. It's ready for my next appointment or errand within an hour or two. When I drive longer distances, then I fill the 8-gal tank about every two months - driving some 1,100 miles on a tank. That's over 100 miles/gallon!!"

"My name is Ken Hughes, from Santa Fe NM, retired from the State. After the lease on our first electric car expired we looked around for an inexpensive electric car. We found an ad for a 2016 Smart For Two all electric car from M&J Used Cars. It had been on its lot for ten months and were only asking \$7500. We wrote a check and they delivered it to Santa Fe. It has truly been a great around town car and, with a Peter Max wrap covering its body, quite a distinctive one at that. We normally charge the car on the back wall outlet, though we have also charged it at public charging stations around Santa Fe. Charging for us is not an issue."

"My name is Joe Thurston. I live in Albuquerque, New Mexico. I am retired after spending nearly 40 years in Minnesota. I retired in 2019, and bought my home in Albuquerque in 2020. I started looking for an EV after I had 16 solar panels installed on my roof. I zeroed in on the Hyundai Kona Electric. The local Albuquerque dealer said they did not carry them. Something about rules. So I tried looking online, I would have had to travel to Denver to buy one, and drive a new technology vehicle back to Albuquerque. No, thanks. I kept looking for maybe a year, year and a half. When I tried the local Hyundai dealer again, he indicated he couldn't sell me a Kona Electric, but he could sell me an Ioniq 5. I rushed to the dealer, and got the last one in their shipment. The only incentive I received was from the Federal Government in the form of the \$7,500 rebate - the final rules hadn't been adopted, so I squeaked in under the wire. The sales people were excellent. I had the impression that they were reciting learned knowledge, rather than knowledge based on experience. Owning an EV is a learning process. It took me some time to become adjusted to driving an EV, but now I love it, and would never go back to gas. I have 23 panels on my roof (I added another 7 when I was close to buying the Ioniq 5), and had a Chargepoint charger (Level 2) installed on the side of my house, within reach of the car. My

range around town (at 80% charge) is over 310 miles, so I only have to charge once every 10 days or so. When I bought the car, Hyundai gave me 2 years of free charging at Electrify America. I have driven to Massachusetts and back, upstate New York and back, Minnesota and back, and Seattle and back, all on their dime. Wonderful! I'm sad to lose the benefit, as now it will cost nearly as much to charge up the car as it would to fill a gas car. Electrify America charges \$.54 a kWh, vastly more than my local utility charges me - under 10¢ an hour. My biggest complaint about using an EV is the lack of charging stations - DC, fast chargers. It limits where I can go. And I have a camper I'd like to tow - only 1,300 pounds - but my range goes down dramatically, so I'm basically unable to go camping anywhere. Overall, though, owning an EV is terrific! I really enjoy driving again."

"My name is Ona Porter. My first EV was a Nissan Leaf in 2019. It was on the lot and available. There was one sales person at the dealership who sold EV's and she was very knowledgeable. The vehicle was leased for three years because that gave us an opportunity for a discount. The second purchase was in 2022 when the lease on the Nissan ran out. This was at a time when there were not many vehicles available, but the one we bought was in the queue and leased within about four weeks. There were no discounts on this vehicle. The sales person was new to the dealership and new to EV's. The next purchase was in 2023 and again the vehicle was in the queue to arrive within a couple of weeks and did. We purchased it at that time, and talked the dealership into a discount based on the fact that we had bought one the year prior. When we were looking to purchase in 2022 we looked at a number of possibilities and the timelines on all of them were pretty long. The one we bought was the shortest timeline for arrival. We love our electric vehicles. In the three-year lease on the Nissan we were out of pocket for the lease payments and \$4.27 to buy windshield wiper fluid. With that car and the other two we primarily charge in our garages that is easy, convenient and cheap. We utilize the EV whole house discount between 11 PM and 5 AM so that we are spending about three cents a kilowatt to charge. We have experienced no difficulties or expense for maintenance with the three vehicles that we own, or have owned. The range with the 2023 EV six is about 450 miles in town and about 350 miles on the road. We consider this to be excellent and have no anxiety whatever. "

"My name is Gary Payton. My wife and I have lived in Santa Fe since 2017. I am a retired US Air Force officer, a Colonel. My wife is a retired medical doctor and also a retired US Air Force officer, a Colonel. When we moved to Santa Fe, one of our climate action objectives was to purchase an EV. We wanted to buy a Chevy Bolt, so we shopped at Cadillac of Santa Fe for our purchase. The sales staff was thoroughly knowledgeable about EVs in general and the Bolt in specific. The dealership, however, had ZERO vehicles for us to test drive or to purchase. They explained that the number of Bolts delivered to New Mexico was LIMITED by General Motors, so our only option was to order the car and wait. (Of note, because of the lack of availability, we were only able to sit in a Bolt which was awaiting delivery to another customer). We received our EV after a wait of approximately 90 days and have been delighted with our purchase ever since. Our Chevy Bolt is the PERFECT car for our local and regional driving. Over the first

21,000 miles of service we have TOTAL maintenance and service expenses of \$165.00 (two air filters, installed). Not one penny more over a life of 6 plus years. We charge our car at home in the garage using a Level 2 charger. Our home electricity is supplemented by solar panels on the roof, and we are connected to the grid via PNM. Our TOTAL monthly electricity bill has never exceeded \$7.89. With only a small amount of pre-planning, I am able to charge our Bolt while on longer trips. Yes, we depend on charging stations, but with planning and a bit of patience, we recharge and carry on...all the while protecting the environment without adding additional pollutants to New Mexico's air. In sum, we will never be without an EV. Expanding the availability of EVs in New Mexico is part of our collective responsibility to future generations. With more options and availability, citizens can make an informed choice which fits their income and their transportation needs.”

“My name is Margaret Bell. I'm an Albuquerque native, now retired and living on a fixed income. In 2020, I leased an ICE vehicle with the express purpose of purchasing an EV when the lease ended in 2023. I was looking forward to the fuel and maintenance cost savings with an EV along with reducing deadly tailpipe emissions. About 4 months before the lease ended, I contacted several local dealers looking for both new and used EVs. The dealers all told me a new one had to be ordered and would take 6-8 months. Used EVs were hard to find and not local. Consequently, I had to purchase the ICE vehicle and will trade it in on a new or used EV once there's an EV inventory in Albuquerque to choose from.”

“I'm Lois Murphy living in Albuquerque, NM. We recently bought a Chevy Bolt and we both love the car. We stopped at Larry Miller Chevrolet looking to test drive an electric vehicle and walked out the proud owners of a Chevy Bolt. There was a bit of confusion over the \$7500 credit as we were the first to take advantage of the program. The sales people were pleasant and easy to work with. I'm glad we were able to take advantage of the \$7500 off the cost. We installed a 220 charger in our garage.”

“My name is David McGahey. I live in Santa Fe, New Mexico. I installed solar panels on the roof of my house about 3-1/2 years ago. Adding an EV car and home charging station lets us efficiently use extra energy generated by the panels and drive efficiently without adding pollutants to the environment. The salespeople at the dealership did not know all the factory incentives for purchasing my Kia EV, but I checked the manufacturer's web site before buying and got a significant discount from the sticker price. In preparation for longer road trips I have used various charging stations around town and downloaded apps for my phone that easily let me locate chargers in remote areas. I am pleased to see the charging stations installed at NMDOT facilities and various public parking areas. I paid over \$100 for my most recent oil change for a traditional vehicle and I'm glad my EV will have much lower maintenance expenses than my old car!”

“My name is Brad Weikel. I’ve lived in Albuquerque, New Mexico for the past decade, and I’m the owner and founder of Little Green Bucket, a local food waste composting service. In 2022, my wife and I decided to purchase a PHEV crossover for our family, so that we could drive entirely on electric power in town but have a gas option for long road trips. We spent a few weeks shopping in New Mexico, but the local inventory for both new and used PHEVs was so low that it was hardly worth our time, and the car we were most interested in (the Toyota RAV4 Prime) wasn’t available locally at all, because at that time Toyota wasn’t allocating any PHEVs to New Mexico dealers. In the end, we ended up calling dealers in several states, looking for one that had pre-orders available and would sell to an out-of-state buyer. We eventually pre-ordered from a dealer in the Denver area, then waited about three months for it to arrive at the dealership, and drove up to fetch it. Our experience owning this car has been phenomenal. In less than 2 years we’ve driven it 30k miles, of which 10k was out-of-state road trips, 5k in-state road trips and ski trips, and the remainder local commuting. In total we’ve driven about 20k miles on electric power and 10k on gas. Since it’s a PHEV with a smaller battery than full EVs, we can charge off of a standard wall outlet, so we’ve been able to charge overnight from a pre-existing outlet at our home. When we’re not traveling we drive almost exclusively on electricity (supplied by our rooftop solar), and only have to gas up every two or three months. Since we can drive on gas when the battery is low, we tend not to charge away from home, except on longer road trips when we can charge in many campgrounds and at friends’/family’s homes. We love the quiet ride and the responsive acceleration of the electric mode, and we’re thrilled that the car tows our camping trailer far better than my truck does. We absolutely love the car and are looking forward to replacing my old truck with another EV or PHEV in the next few years.”

“My name is Paige Grant and I divide my life between Santa Fe and Llano San Juan, NM. My husband and I bought a two-year-old EV in 2020 through Carvana. It was easy and we have been delighted with the car. We are now shopping for a used longer-range EV with the ability to tow a small trailer. We have looked at half a dozen models, are waiting for a used Ioniq 6 to come in to the dealer to make up our minds between several good options. We have been offered no incentives, and need none. The sales people have been very pleasant to work with. We love our EV. We typically charge at home. It is definitely challenging to find charging stations away from home, but that's not the fault of the EV but of the societal failure to develop the infrastructure to serve EVs! Of the few charging stations that exist, many are sabotaged, I suspect by people who are threatened by our transition to lower-carbon-footprint transportation options.”

“My name is Angelo Tomedi. I live in Albuquerque, NM. I am a Family Medicine physician working in Albuquerque and Socorro. I have lived in New Mexico for 47 years. I purchased the Nissan Leaf EV in Colorado Springs in 2019 because I was unable to find one in New Mexico. The dealership in Albuquerque was not helpful or knowledgeable about EVs, unlike the dealership in Colorado Springs, which was familiar with EVs and helped with the tax

advantages/issues. My daughter and her wife now mostly use the car. The Leaf has performed well in the city and on road trips. I was able to find and use public chargers on my trips to Colorado Springs, and the range (about 280 miles) was enough for round trips to Socorro and Santa Fe. The problem that I have is that the Albuquerque dealership seems unable to do any routine maintenance or take care of a recall issue. My wife and I purchased a 2023 VW ID.4 last year. The dealership (University VW) was knowledgeable and helpful, including arranging and completing a routine maintenance service. We have had no problems with the car. We "trickle charge" overnight at the apartment, and sometimes use our daughter's level 2 charger or a public charger. We have traveled with the EV to Socorro, Santa Fe, Taos, and on a camping trip to Fenton Lake. Since the range is about 300 miles on a charge, we have not had to find a public charger during those trips."

"My name is Oriana Sandoval. I live in Albuquerque, NM. I am a native New Mexican and am raising my family in downtown Albuquerque close to my childhood home. My husband and I went car shopping in December 2023 to upgrade from his 2013 Toyota Tacoma. We were hoping to get at the very least a new hybrid truck. We were disappointed to find that Toyota had no inventory or hybrid nor electric trucks. We weren't willing to purchase a new truck that wasn't at least hybrid. We stopped at the Ford dealership on our way home and were pleasantly surprised to see that Ford had a whole fleet of both hybrid and electric vehicles and trucks. We bought a 2023 Ford Lightning EV. With the federal tax credits for EV's (thank you, President Biden and Congress!), it was more affordable to buy an EV truck than a hybrid or fuel truck of the same model. Plus, purchasing an EV aligns with our values of investing in climate responsible technology. We love our EV Ford Lightning! We charge the truck in our driveway when it's parked at home. When we're out, we have found it easy to charge in Albuquerque (Zoo, Bio Park, Explora, downtown), and we have easily found charging stations in Santa Fe when we do work and family trips. It's been great to be able to cruise in a big truck without having to worry about emissions or high gas prices."

"My name is Jim DesJardins and I live in Albuquerque, NM and have lived in Albuquerque NM. My overall purchasing experience was ok. Although, by adding on a couple of features, the advertised lease rate almost doubled from \$249 per month to \$477 per month, so we ended up purchasing the vehicle. Additionally, the dealer was reluctant to accept the PNM rebate. Also, it took about 5 hours to consummate the purchase even though we were cash buyers. Overall my experience is good. I did have some front suspension issues that was covered under warranty. Other than that, the only maintenance has been replacing the tires and wiper blades once. There needs to be more standardization on public chargers with the ability to use a credit card and they all should have a phone number you can call if there are any issues using the charger."

"My name is Wendy Pomeroy, I live in Santa Fe, New Mexico. I am a retired non-profit administrator and financial professional and have lived in NM for 16 years. In 2022 I searched

for over 6 months to find and purchase an EV. I contacted dealers in NM, Arizona, California and Colorado for Nissan, Toyota, VW, Mini and Kia, but none had EV's available. I finally found the Mini in Albuquerque that had an EV by a lucky call when the person who ordered the vehicle had just decided not to take it. Sales people were helpful. I love owning my EV. We installed a 55amp quick charging station at home. The difference between start-up speed and braking systems in an EV are a delight. My EV is easier to drive than a gas car and feels safer. It's great to drive by a gas station and celebrate never needing to visit one again. I charge up quickly and conveniently at home. No more paying for gas. Less expensive to maintain."

"My name is Howard Dash and I live in Las Cruces, NM. I purchased my Tesla Model 3 in July 2018. However, since there are no Tesla stores in New Mexico, I had to order my car online and had to fly to Phoenix, AZ to pick it up. I received a \$7500 federal tax credit to purchase my vehicle. However, there is no place in New Mexico to service it so I have to go to Texas for service. I'd rather spend my dollars in my home state if possible. I mostly charge my car in my garage, powered by solar panels. Traveling on the road is great as long as I'm traveling on the interstates as there are Tesla chargers spaced along the interstates. I have made trips to east Texas, Colorado and California and had no problems. I wish I was able to travel to places off the interstates, such as Roswell. NM should encourage EV travel all over the state by having charging stations off the interstates."

"My name is Stephen Rose. I live in Taos, New Mexico. I searched in New Mexico and in nearby towns in southern Colorado for the specific vehicle we wanted- a Toyota RAV4 Prime. This is a plug-in hybrid gas/electric vehicle. There were none available in New Mexico or nearby when I was searching in August and September of 2023. I placed my name on a wait list with Toyota of Santa Fe but was told there were others in front of me and that it might take a while before one became available. So I searched in California where I had learned there were RAV4 Primes available. However even there, all available vehicles were committed to people on wait lists. I put my name on the wait list at One Toyota of Oakland and in late September learned there was one available. I had to have it shipped to NM at a substantial cost in time and money (approximately \$1200- I cannot find the receipt for that). We love our EV. We charge it at home in our garage. Our daily trips around town and into the mountains are all done on electric only."

"My name is Ruth Striegel. I live in Albuquerque, NM. I've lived here since 1982, and spent 34 years teaching in the Albuquerque Public Schools. I purchased a used Nissan LEAF in 2016. I had to replace it this winter when I was rear-ended. I purchased a 2019 LEAF this past December. In both cases I found very few used LEAFs at local dealerships. My goal was to purchase an inexpensive EV that would provide reliable transportation around the city, a goal which I achieved. I also wanted light-colored seats (this is NM, after all!) Both times, the most difficult part was the seat color. Because I couldn't find the car I wanted on the lots, I turned to CarMax. Both times, I was able to find the car I wanted on a CarMax lot in another state and

have it shipped here. I've interacted with 6 to 8 people at CarMax, and most of them have been wonderful. Getting the local CarMax people informed about the federal tax credit for a used EV took some doing, but they got on board. The people at the CarMax corporate office were extremely helpful in getting the needed paperwork for the tax credit. Since I started getting my LEAF serviced at Melloy Nissan in 2016, the level of knowledge about EVs at Melloy has steadily increased. I am quite comfortable having them service my car. I charge the car at home, using ordinary household current (aka trickle-charge.) As long as I plan ahead, this works very well. My newer, 2019 LEAF has enough range to get to Santa Fe and back on one charge, which I'm really enjoying. I have been able to charge my car at a few locations in Albuquerque and Santa Fe, for a minimal fee. I love being free from going to smelly gas stations! I love the quiet, smooth drive and great acceleration of my car. I wish that more people realized you can find inexpensive EVs, and I wish the car manufacturers would produce a lot more small, inexpensive EVs."

"Hello, my name is Linda Doezenia. I was born and raised in Albuquerque, lived in Placitas, and now south of Santa Fe near the Galisteo basin in an off the grid, solar home. My husband David and I are devoted to living a life that is as non impactful as possible on our fragile landscape and planet. When we tried to purchase a hybrid electric vehicle at Toyota in New Mexico, we were told that the state "did not yet support electric vehicles" so we could not purchase one here. We were put on a waiting list in the tiny town of Trinidad, Colorado north of New Mexico and waited a year before being able to purchase the Toyota Rav Prime vehicle that we now own in March 2023. We were able to take the Amtrak train from Lamy to Trinidad and drive back with our new vehicle! We added a car charger to our solar grid and are able to drive into Santa Fe, find a charger to recharge our vehicle while we walk to our errands in various parts of Santa Fe. We Love our EV vehicle. We rarely have to fill it with gas, which is why we suspect the auto industry is fighting against the regulations and time limits of gas vehicles. We are sometimes frustrated that there aren't more charging stations, or to find a charging station with a non electric vehicle taking up the parking spot. Other times we find the charging station might be non functional because the provider has failed to realize our harsh New Mexico sun will deteriorate the computer screen and button usage of the charger (easy fix...build a shade over the device!). Still, we are delighted with our vehicle and can't wait to have an all electric vehicle with the capacity to travel across the country without having to stop and charge for hours at a time. Unless of course the U.S. figures out how to add excellent coffee stops like Italy and other European Countries have. Full Speed Ahead, folks! This IS The FUTURE! New Mexico can be a part of the future...a leader if we choose so!"

"My name is Walter Gerstle. I live in the Albuquerque South Valley, New Mexico. I am a retired professor of civil engineering. I bought a new Kia EV6 in September 2023. I am very pleased with this car. The folks at the Kia dealership were very helpful and knowledgeable. I just wish

there were more EVs for folks to purchase. My Kia EV6 is a delight. It is very inexpensive to operate in my daily commuting in Albuquerque. It also worked well on a road trip to Boulder.”

“My name is Paul Stokes. I am retired from Sandia Labs as an electrical engineer, hired out of college, and spent most of my career there that included many years managing R&D organizations, advising arms control organizations in Geneva and Vienna, and then working for several years at the International Atomic Energy Agency in Vienna on a nuclear test ban treaty. I also conducted inspections in Iraq to ensure that they did not have a nuclear weapons program after its invasion of Kuwait. I live in Corrales, NM with my wife, Laura. We owned a Prius that was totaled in a car accident. We needed a car and decided that it was time for an EV, although we probably would have waited a few years longer to buy one had we not had the accident with the Prius. We went shopping, and learned that 1) there weren't that many available, and 2) of those that were, most cost more than was justified. For various reasons, we settled on a Chevy Bolt. However, the few, new models that we found were over-priced (This was at a time when Volkswagen announced that it was raising its base prices for their EVs by 7500 dollars, to match the government rebate/tax break.). We discovered that Galles Chevrolet had low mileage, previously owned Bolts on its lot that were reasonably priced, so we bought one on the spot. For car sales persons, they were quite easy to deal with. We have been very happy with it for over a year now. We have a car battery charger in our garage, and have found it a pleasant experience to be able to avoid the need to visit gas stations. There has also been no need to do any maintenance, unlike what is needed periodically for cars powered by internal combustion engines.”

“My name is Pat Bartels. I live in Albuquerque NM. I’ve been in New Mexico for 39 years and am retired. In 2022 I decided that I wanted to switch from an ICE vehicle to an EV. I was on a waitlist for almost a year at a local VW dealer. My reservation information was on the VW website and I had no interaction with the VW dealer after the initial test drive. It wasn’t clear when I might get the VW EV. In February 2023 I saw that there was a 2022 Hyundai Ioniq 5 on the lot at Larry Miller Hyundai. I went and drove it and returned the next day and bought it. The salesperson knew some of the features of the car but after owning it I realized that there was more to learn about it. I relied on YouTube videos for this information. The Hyundai website and the owners manual were not very helpful. I used the PNM rebate for my level 2 charger in my garage. PNM was very helpful in applying for the rebate, I was not eligible for a tax break on the car because it was made in Korea. It was frustrating that there were changes in the tax breaks through the yearlong period that I was in the market for an EV. I decided to get the car without getting the tax break because I was highly motivated to get out of my ICE vehicle. The car has been great and I haven’t had any problems. Maintenance is minimal - mainly checking tire pressure, rotating the tires and updating the computer system. I’ve been to the dealer once in a year for routine systems check, I spend an average of \$4 a month charging at home and do all the driving that I need to around town. I have taken a couple road trips. The apps to find charging

stations is a frustration as there are several different ones and none of them seem to have all the information. When I have used public charging the cost is about one-third of what gas would cost. The lack of public charging in some parts of the state is limiting. For example, between Albuquerque and Durango and in Taos and north of Taos.”

“My name is Dena Ross. I live in Santa Fe NM. Before I drove a Bolt, I drove a Volkswagen diesel. When the VW recall occurred, I was so upset about the pollution I decided it was time for an electric car. I then leased Bolts with two 3 year leases, then decided it was time to buy an EV. In December, before my lease was to run out in March, I ordered a 2023 Bolt. The saleswoman was very nice, we wrote up the order. When I checked back to see about delivery I was told she no longer worked there, and that there was no delivery date yet. The salesman who took over said the car was on back-order with no definite delivery date, and when I checked all the dealerships said that was the case. The few available Bolts I found out of state were priced higher and would have also had transport fees. So I waited (and waited) for my car, for 6 months during which I had to extend my lease, and continue making lease payments. I find the bolt to be a great all around town car. My husband and I both enjoy the car for errands with its small easy maneuverability. Although it is small, there is a lot of cargo or passenger space - I can fit my bicycle into the back, or with the seats up, 6 foot tall passengers sit comfortably in the back seat. I charge from a 110 outlet on my front porch, although I now have a 220 charger at the garage for times I need a fast charge. I've only charged at a charging station once, just to see how it worked. Overnight charging at home is very convenient. I only miss gas stations when I need to clean the windshield. The only bad experience I've had was going to Albuquerque from Santa Fe with too little charge. I didn't have an app for charge stations at the time, and had to go to a car dealer and use a slow charge to get enough range to barely get back home. Now I do have several apps and will be able to access fast charge stations when necessary. Albuquerque was at the time limited on charging stations, but I believe the situation is improved.”

“My name is Steve and I live in Santa Fe, New Mexico. I purchased online from Tesla and it took about 2 weeks to get it. I charge it at home mainly. Have driven it to Bay area 3 times now and have 46G miles on it. Maintenance has been a new set of tires.”

“My name is Daniel Shaw and I live in Albuquerque. I purchased a used Nissan 2018 Leaf in June 2019 from CarMax in Albuquerque for just under \$27,000. I did some online reading in advance. I spoke to several people who already owned an electric car. Through CarMax I ordered the used electric vehicle to be shipped to NM from out of state. I test drove the car. The sale's people I worked with had rudimentary information about electric vehicles, but satisfactory for my needs. All were helpful and were low pressure. My purchasing experience itself was easy and without problem. I purchased the Leaf almost five years and have been nothing but satisfied. Across five years I have owned it, I have not once regretted having purchased an electric vehicle. It has proven to be far easier and more economical to operate than any gas powered vehicle I have ever owned. I drive almost exclusively within the Albuquerque metro area. The Nissan Leaf

is my primary vehicle, but our family also has a light truck (gas), that I might drive once every couple of months. We charge the Leaf almost exclusively at home from what I believe is a GFCI standard 110v outlet in our garage. We purchased solar, and generate all of the electricity we need for both our home and the electric car from our rooftop. We charge the car about once a week, often less frequently, generally overnight, for a week's worth of driving, with a range of between 110 to 140 miles depending on temperature. Using an electric vehicle most every day for routine commuting, shopping, and other needs is easy."

"My name is Carol Farmer. My husband, David, and I have lived in NM since retiring from my consulting and his academic jobs in 2001. We tried to purchase a new Toyota Rav 4 Prime in New Mexico but went to CO when we learned Toyota does not allow them to be sold in NM. We wanted to see and drive a RAV 4 plug in (Prime) before making our decision . Since we now live in Santa Fe we went to the Toyota dealer there. The sales person was dismissive and rude. At the dealership in Albuquerque the sales staff was very helpful. We would have happily purchased there but they had no stock. Pueblo Toyota was delighted to work with us, reserving a car in shipment from Japan and keeping us informed of its arrival and making our purchase as easy as possible.. We love our car and will have it serviced at the Albuquerque dealership."We had a EV charger installed in our carport as soon as we completed our purchase. Using our car around SF, we plug it in five nights a week . Next week PNM will install a special meter allowing us to reduce our electric bill by becoming "WHEV," Whole House Charging Rate. When we're on the road, our car switches to gas when our charge is diminished, but our mileage (54 miles to a gallon) is much better than our previous car (Toyota 4 Runner). We have been delighted to find motels in many NM towns and cities providing charging stations (With universal, not just Tesla, plugs). Curiously, the employees in these motels have no information about the charging stations and none of the businesses that have installed them feature them in their advertising. What a missed opportunity to attract more business."

"My name is David. I live in White Rock, New Mexico. Due to protectionist laws we bought our Tesla Model 3 almost entirely online in October 2023. We did have a test ride in Pojoaque and some general advice from employees there, but otherwise the entire process was straightforward and quite easy. The Tesla employees were very helpful and easy to deal with. Far better than our attempt to buy a Chevrolet Bolt from various dealers, none of whom could get either (a) the car we wanted or in the end (b) any car at all. We were offered no special incentives on the Tesla, but various deals appear and disappear more or less randomly. It's notable that we could get the exact model, color and interior we wanted with no waiting. Other than increasing our plug from 15 to 20 amps capacity, we made no special changes in our garage (the circuit was already wired for 20 amps; just the plug needed changing). We got the portable charger, which is more than enough for our needs. So far, we have had no need to charge at a pay station or supercharger since the range is enough for all our usual trips. We did have a minor issue with a windshield wiper after purchase, which was handled quickly on a "while you wait about an hour" basis.

Exceptional compared to the various dealers we've dealt with. The car has been otherwise trouble-free and a joy to drive. It's probably the most capable car I've owned and the cheapest to operate. Insurance cost a little more, but not enough to offset the other savings.”

“My name is Jack Hunter. I live in Santa Fe, NM. I am retired. I bought a Tesla online in 2021. The experience was seamless. The sales person was great and answered all of our questions. The car was delivered to my home after a 4.5 month wait. We love our Tesla and take it everywhere. I am writing this from Scottsdale AZ where we are currently vacationing. We drove our Tesla to Scottsdale. It was easy and the charging was simple and fast. Last year we took our Tesla to Yellowstone national park. It was a smooth and uneventful trip. We normally charge at home. Our home vs on the road charging normally runs at 98% home 2% road. We have solar so all of our local driving is free. We will never own another fossil fuel powered vehicle.”

“My name is Glenn Wikle. I live in Santa Fe, New Mexico. While shopping for EVs in Santa Fe and Albuquerque, I experienced a great deal of misinformation at dealers about how EVs work, refused and limited test drives, and lack of choices of models or trim line in 2017, 2019 and 2022. Dealers advertise that they have EV models but 50% of the time they either have none on the lot or refuse to show them (saying they are "in the back" being worked on or similar). The most economical trim line is never available for purchase, pushing up prices unnecessarily. They try to sell you used vehicles for a higher price than new ones. No regular maintenance required: oil changes, radiator & brake fluid. Goes through tires faster. Independent mechanics are useless, so have to rely on dealer. Waited without my car for three weeks while waiting for replacement of a mouse-chewed cable. Enough fast chargers for distance trips (non-tesla) became available in NM only in 2023. Operating cost seems like 50% of internal combustion due to cheap and free electricity from various sources. Battery recall limiting my range to 80% for 6k miles. GM to hopefully pay for this with \$1,600-\$2k class action settlement. Great reliability.”

“My name is Jeanne Brown. I am from Santa Fe, NM. I am retired. I purchased my 2023 chevy bolt from Santa Fe Cadillac Chevrolet in Santa Fe, NM. It was a great experience. I ordered the vehicle from the dealer to my specifications in August of 2022. The vehicle was delivered in early December. Our sales experience was great. There was zero pressure and there was no mark-up above the MSRP. There were no incentives available at the time but I did get \$500 off for being a costco member. We also got \$500 of free charging. The sales person wasn't as knowledgeable about EV's as my husband or I but for us that was okay because we'd already owned one prior so we knew the ropes. This is a town vehicle used mostly locally around Santa Fe and Albuquerque. It is charged mostly at home. My estimate is 99%. We have solar and our local driving is free. We did get a free \$500 dollar charging card from Chevy and use that occasionally. We have taken this vehicle to Colorado Springs and found the on the road

charging a bit slow but it was convenient and we had no issue finding charges to complete our trip. We will never own another gasoline powered car.”

“My name is Kristen Hestir. I live in Las Cruces, NM. I work with Geographic Information Systems since 2011. I’ve wanted an EV for a long time because I drive 50 miles back and forth to work everyday. The federal tax credit helped me finally do it. We ordered the VW ID4 Pro car online but ended up buying from the local dealer when they got a car in before our online order arrived. I love, love, love my EV. I no longer feel guilty driving so many miles everyday. It’s also such a pleasure to drive. I charge at my home and have solar panels which means I am paying almost nothing to charge it. I look at it as a win for me and for the environment. I don’t ever see myself going back to a gasoline car. I love driving the car. It’s so quiet and responsive. I charge at my home charging station which is super convenient and clean. No more smelly gas stations or dirty hands. I love it.”

“My name is Ellen Caldwell. I live in Corrales, New Mexico. I’ve lived in NM since 1982. I’m a Physical Therapist, retired now. My husband and I had a wonderful experience purchasing our 2017 Chevy Bolt. We had to wait a month until it arrived. There were tax incentives available. We have solar panels and use 110V for charging. Our car is almost totally run on the sun. We don’t charge other than at home. It’s too hard.”

“My name is Daniel Pritchard. I live in Taos, New Mexico. I am a retired electrical engineer and volunteer here in Taos with an organization called ""Renewable Taos"" who promote renewable energy and economic development. I purchased a used Tesla Model 3 in 2019 and it is BY FAR the BEST vehicle I have ever owned. At the time, there was no way to purchase an EV in NM. I support the Clean Car Rules in NM. I do not think it is acceptable for the Auto Dealers to try to reverse this widely popular policy. I drive my EV everywhere, and in July completed a 4,300 mile road trip. I enjoyed every minute of it and had absolutely no issues with charging at Tesla supercharger stations, and Level 2 charging stations. Most of my charging occurs at home, where I pay the equivalent of about 3 cents per mile. Love my 2019 Tesla Model 3.”

“Nancy Singham from Albuquerque, retired classroom teacher, UNM Grad, Lived in Albuquerque for 10 years in the 70's and 9 years to present. In 2018, after owning several different Prius cars, I decide to upgrade to a Prius Prime plug in hybrid. I went to Larry Miller Toyota showroom and said I was interested in buying a Prius Prime. The sales person literally laughed in my face and said exactly these words "Now why would you want to do THAT?" Off to a rocky start, I persisted, but was told that the dealership never received them. After a lot of pushing on my part, another sales person came on the scene. After discussion, it turned out they could maybe find one for me from a dealership in AZ, with an \$800 travel service fee to get the car to ABQ, plus a list price higher than the sticker. I decided to 'wait and see", went online and

found the exact car I wanted for \$1000 under sticker price, from a car dealer in the Chicago area. So I flew to Chicago, took a cab to the dealership, picked up my lovely new car, and drove back to Burque. In 2023, I was considering passing on my car to my son in California who is logging long miles near Watsonville, student teaching in 5th grade while going to grad school to get his MA as an educator. So I went to Sandia Toyota and again asked about the new Prius Prime model. At least the sales person didn't laugh at me this time. But he did say they NEVER receive any Prius Primes from Toyota. He offered to tell me the names of the best Toyota dealers in the Denver/Colo Springs areas where he used to work and explained that those dealerships have them in stock. To this point I have not acted on this offer. My Prius Prime is the best car I have ever owned. A pleasure to drive, it charges in my garage off the same outlet as my washing machine, gets 80 miles/gal around town and uses gas when I take a road trip.”

“My name is David Munoz. I live in Taos, NM. I am an emeritus Mechanical Engineering professor from Colorado School of Mines (CSM). I have lived in Taos since 2012, but also lived in Albuquerque, graduating from UNM with a BSME in 1980. I purchased a 2017 Chevy Volt in 2017 and still drive it. I received a related \$7500 tax credit in 2018 after filing my 2017 tax return. In 1992-1994 I served as faculty advisor to the CSM Hybrid Electric Vehicle (HEV) team. We competed with 17 other universities in Detroit in 1993 and 1994 after converting a conventional 1992 Ford Escort station wagon to an HEV. Since then, it has been clear to me that electric vehicles were the future of personal transportation. That future is now. Hopefully sales people are beginning to learn the basic benefits and opportunities that EVs offer. My experience with sales people so far, however, has been disappointing. To be fair, I have not visited a dealership for about a year now. I’m waiting for the battery range to improve a bit more and the cost to drop before purchasing a vehicle that can tow a camper, to replace my 2003 Chevy Avalanche that now has 270,000 miles on it. I charge my Volt at home with the sun. We have solar PV on the house and our Kit Carson Electric Coop generates most of our grid power from the sun as well. What could possibly improve on a vehicle that derives most of its energy from the sun? Answer: a vehicle that derives ALL of it’s energy from the sun! One of my pet peeves on my 2017 Volt, and many of the new cars that I see now, is they do not come with a spare tire. I will NOT buy another new car that has no spare tire in it’s design as this is a BASIC design requirement! Reliability is the most basic requirement of personal transportation. The Chevy Volt is a plugin hybrid (PHEV). I charge it at home. However, when we drive further than ~65 miles (electric range), the IC engine kicks on. When we travel, it is like a conventional gasoline powered car. The PHEV is a transition vehicle. I will eventually replace it with an Electric vehicle (EV) when I see one that my wife likes.”

“My name is Athena Christodoulou. I live in Albuquerque. I am an energy and environmental engineer, retired Navy commander, and entrepreneur. My first EV was leased in 2014. I needed to experience an EV, firsthand. I was a consultant researching and writing the feasibility study for GO-Station, an Albuquerque-based fast-charger startup (and I could gather stories on the

successes and obstacles that company faced and faces). The salesperson, Susan, at Melloy Nissan was outstanding and though I couldn't afford the purchase price (\$30k) I was able to lease it for three years from the manufacturer at \$376/mo and \$2000 down. After the lease was up in 2017, I walked away from it... for 30 minutes and purchased it from the dealership for \$10674. I had put 34,000 miles on it. The Dealership provided the loan. The loan officer, though, seemed determined to sell me a truck?!? In 2018, I bought another Leaf from Susan. It could get me to Santa Fe and almost back. My husband took over the 2014 Leaf. Until 2023, that 2014 Leaf was our Albuquerque car. We would lease another "gas" car for long distance trips. In July 2023, I sold it for \$4500. It looked like new and would be used by a new driver. The 2014 Leaf's range was less than 100 miles. I charged it at home using a regular wall outlet and the accompanying cord. Outside of my garage, It could fast DC charge to 80% full with a level 3 CHAdeMO charger in 25-30 min, once a day, or moderately AC charge with a level 2, J1772 charger in 2-3 hrs. At the time, the CHAdeMO was available only at Nissan dealerships in Albuquerque and Santa Fe. I knew of a couple level 2 stations that were available downtown (free parking and charge). Susan, Nissan salesperson, assured me I could get to Santa Fe, charge at the Nissan dealership, and return home the same day. A couple weeks after taking it home, I decided to try it out. There was an environmental fundraiser happening at 6:30pm in Santa Fe. I could get there at 6:00, charge at the dealership and be on my way. I called the Santa Fe Nissan Dealership to verify closing time. "Our sales office is open until 8pm tonight," he told me reassuringly. It's a 45-minute drive to the dealership from my home and La Bajada killed the battery range. By the time I neared it, my car had the dreaded "LOW BATTERY! Proceed to the nearest charging station" indicator. The car provided GPS and I used it to direct me there. But as I pulled into the dealership, my heart started pounding madly. It was closed! The entranceways were blocked by vehicles, and I couldn't get to the CHAdeMO unless my car could fly. I called Susan. She was livid and offered to come pick me up. I had done my research on charging stations well, though. Before I left, I had used PlugShare (an App that was mapping EV chargers) to provide a plan B. I already had a Santa Fe friend lined up for carpooling and would leave my car charging at Tomasitas under their solar canopy. A couple more hitches like 1.5 hr timer on the charger, meant I was hanging out until 10pm at the now-closed Tomasitas with the manager, who happened to be a Greek friend. I had many other range anxieties inducing adventures but was determined to stop breathing toxic exhaust. As an environmental engineer, I knew it was bad. My sons and I joked that now no one could asphyxiate if the Leaf was running with the garage door closed. One more note on the 2014 Leaf: in 2018, my husband insisted on arranging "maintenance." Nissan service gave him a Saturday time slot. He showed up AND THEN they told him the EV technician didn't work on Saturdays. There was nothing to maintain, in other words. My 2nd EV was a Silver Leaf purchased at Nissan Melloy in 2019. The salesperson, Susan, at Melloy Nissan was again outstanding. This time I had to put a \$1000 down payment before she could bring the car in from another dealership. I was able to use the \$3000 PNM retail credit to bring the purchase price down from \$36k to \$33k. And able to use the \$7500 tax credit to help pay down the loan from the dealership. In 2019, Tesla picked it up as a trade-in for \$21k.

Having already suffered range anxiety with a 100-mile range Leaf for four years, the 150-mile range of the 2018 Leaf was a dream. It drove like a luxurious car with no-hands steering while in cruise control. I still charged in the garage with the provided cord, but it now needed an attachment to plug into my regular outlet. There were more fast charging CHAdeMO chargers in Santa Fe, including at a couple shopping centers. I ate a meal or shopped while charging. I built it into my schedule, as the range wasn't quite enough to handle La Bajada, driving around Santa Fe, AND get me home in NE Albuquerque. Occasionally there would be a longer wait as another EV was being charged and there was only one bay. Sometimes the chargers were broken, though, and I once had to turn around on my way to Santa Fe and go get the gas car because the ONE charger between Albuquerque and Santa Fe "appeared" broken. It was co-located at a gas station, not locally operated, and thus could be sabotaged. Otherwise, except for the fact that I still couldn't leave NM in an EV, it was a great car. Its automatic steering was way better than Tesla's. My 3rd EV was a blue, long-range Tesla Model 3. You could not purchase them in NM at the time, since the dealerships blocked the legislation that would allow Tesla showrooms and service centers. It had no dealership business model. I "designed" my Tesla online. It cost \$50,200, but they accepted my 2018 Silver Leaf trade-in for \$21k, sight unseen. I ordered it March 29, 2019 with a \$2500 downpayment. I had actually put \$1000 down to hold my place in line while in Tom Solomon's Tesla Model S, two years before. It was the only way to get one. I had arranged financing through Nusenda who gives a slight break on EV interest loans. I qualified for the \$3750 tax credit. It was delivered Sunday morning April 21 to my home. The truck driver showed me how to unlock and "insert" the key. There was little to sign except trade-in pick-up and Tesla delivery affirmations. I had never test driven a Tesla, but my experience with the Leafs somewhat prepared me for the instant torque and quiet rides. But I had been essentially confined to the Albuquerque/Santa Fe area since 2014. I was determined to get free of fossil fuels by 2023 and being able to visit my sons in California and Arizona was a key hurdle. With its long-range capabilities (300+ mi), the Tesla supercharger network along major driving routes, and a thirst for a car trip, I packed my husband into the Model 3 the next week to spend our Easter with my sons in Los Angeles, via Phoenix to pick up my six-foot "baby." Teslas...hooray for Elon Musk! I have traveled within New Mexico, to Los Angeles, and Colorado in the model 3. Except for the burning sun through the glass roof, slightly awkward car upgrades in the wee hours of the morning, I will never complain about this computer on wheels. Any service, (a tumbleweed poked out a sensor and my 12v battery died) was provided by a mobile technician since no service parts or station existed in NM until 2022. But we still needed more charging stations. On my way to the Navajo chapter house, Teec Nos Pos, in Arizona for a Climate/environmental Conference in Sep 2022, I missed the turn off at NM 550. My car rerouted me to the Santa Fe charging station as I wouldn't have enough charge to get all the way to Farmington without charging. It added 2 hours to my trip and meant I missed much of the conference and opportunity to give demo rides. My 4th EV is a red, long-range Tesla Model Y. This time I "bought it off the lot." The new tax laws meant some Teslas were again available for a tax credit of \$7500. This time I designed my dream next Tesla online in June 2023 and just let

it go because I really couldn't afford it. A month later, I looked through the current available stock and my dream car was there at Santa Ana! (The newest Tesla showroom located on tribal lands as a work around to the dealerships block on Tesla) It cost less than my "design" by a couple thousand at \$55,920. My husband took over the model 3, I sold the 2014 Leaf to a family with a new driver and picked up my newest EV that week! I'm still paying off the loan at Nusenda, but I'm using a secured loan. I use the money I've set aside to help my sons get their first EV as security. They've been brainwashed like many others and hesitate to make that purchase. I went car camping! Drove along some rough roads. The model Y isn't as truthful about its battery capability as the model 3, but there are more supercharging stations now and I can go almost everywhere in New Mexico. Tesla even has seasonal additions to their charging stations during the holidays. Turns out electricity is an easier way to transport energy than oil or gas. I haven't ventured to Southeast NM yet, but I will someday. I have taken it to camp in New Mexico and California. I still have much to learn and many places to explore in the outdoors. And I don't feel any sort of guilt as I live and travel fossil fuel free. My air is clean now. Don't drill for me ExxonMobile, Shell or Jalapeno Corporation!"

"My name is Nicole Waltermire. I have lived in Las Cruces, NM for 15 years where I have taught in various roles, including in the NMSU Writing Program, while also working from home as an editor. We are a one-car family of four, and in 2020 we decided to transition from driving a hybrid vehicle to driving a PHEV. When we searched for used PHEVs, there were none available in New Mexico, so we traveled to California to purchase a 2017 certified used Kia Optima PHEV. We love our PHEV. We plug in overnight in our garage and enjoy a low EV charging rate from our utility, El Paso Electric. In the morning our vehicle is fully charged with a 30-mile range, plenty of charge for our daily in-town driving. We are no longer beholden to volatile gas prices because we rarely visit the gas pump anymore. When we do fill up for an out-of-town trip, we get excellent gas mileage driving in hybrid mode. We also spend less money on maintenance because our PHEV requires fewer oil changes."

"My name is Spencer Ralston. I have lived in Lamy, NM for the past 17 years, but lived in Placitas, NM from 1993 - 2000. I am very concerned about the world we will be leaving our children. The world is overpopulated and climate change will present extremely difficult conditions for succeeding generations. My worries about this have caused me to do whatever I can to reduce my family's impact on the earth. I first purchased a Tesla in 2018 and could not be happier with my choice. I wish the auto dealer's association did not have such a stranglehold over what cars could be sold in NM. I purchased my first Tesla before there was a "dealership" in NM, and the experience was so much better than having to go into a dealership and haggle over the price. Thankfully, due to our tribal governments, Tesla now has 2 showrooms and service stations. It's time for the NM legislature to allow for the sale of vehicles from non-legacy automakers."

“My name is Gene Updike. I live in Albuquerque, New Mexico. I am a retired Computer IT professional. My wish to purchase an EV is to do my share to help fight climate change - it's a well used reason these days but you only have to watch and read about the impact of weather to all of us every day and the costs to both the monetary and human toll. In 2021 when I went looking for available EVs in Albuquerque there were very few options available and the few EVs I saw were pretty new to the market and had had some recalls for various reasons. I decided for me that Teslas had been available for a number of years and seemed to me to be the safer EV purchase option at that time and though I would have preferred to purchase from a local dealer but as I understand Tesla's can not be sold through local dealers. It's been a very cost effective vehicle for my wife and I to own and drive. I contacted PNM to have a special meter at my house for reduced overnight charging rates. Most of our driving is around town driving but when we have taken a few road trips we've found that on most major highways and cities it's pretty easy to use the Tesla charging stations network and costs are not higher than gas prices and many times are cheaper. It's nice and been fun driving a car that is quiet, doesn't smell of oil and gas fumes, doesn't need grease & oil changes, the brakes may last 100,000 miles and overall pretty much no maintenance needed or required.”

“My name is Michael Meade. I have lived in Santa Fe, New Mexico my whole life. I am a Technical Sales Advisor with Positive Energy Solar. I was offered no incentives for my purchase. I charge at home easily after having installed a 40 amp charging port. It has been extremely easy and enjoyable to own an EV.”

“My name is James Tape. I live in Santa Fe, New Mexico. I am retired from Los Alamos National Laboratory where I worked for 30 years on nuclear nonproliferation and arms control. After driving a Tesla in the spring of 2017, I decided to purchase one. Tesla had no in-state sales or dealerships at that time, so I ordered a Model X, paid through wire transfer, and took delivery at the nearest point to my home accessible by a semi-truck vehicle transporter. There were no sales people and the experience was excellent, if a bit unusual. The best vehicle I have ever owned with minimal maintenance. The first-year service was conducted in Littleton, CO as service was not available in New Mexico at that time. I charge at home for daily use and use Tesla superchargers for longer trips.”

“My name is John Drake and I am a Mechanical Engineer. I work for a New Mexico founded manufacturing company that specializes in federal government work. I have been a resident of New Mexico since I was a child and have lived here 30 years since. I was educated in New Mexico and during my college years worked for my step-father that had an auto repair/used car business specializing in small economical cars that provided basic transportation for customers at very affordable prices. For many years I have wanted an EV but not until the Tesla showroom opened in Bernalillo was I able to try one. They have been until recently priced such that was too hard to justify the cost and the effort to go out of state to buy the car I wanted. I had a great

experience with the sales people in Bernalillo and was able to get 7,500 tax credit for the purchase which made the purchase justifiable. I purchased the most basic Tesla available, which incidentally has the most durable and long lasting battery available. I understand that the tax break I received will sadly not be available to buyers at the full amount this year and the State of New Mexico doesn't seem to offer much beyond what federal Government is doing to support EVs. We need to be doing everything we can as a state to promote this opportunity for innovation in American manufacturing. We should be opening up new markets not limiting consumer access and choice. After all it is free and fair competition and easy access that will decrease prices and increase access to EVs for the average ordinary citizen. EVs make sense for the quality of the air in our cities and the environment globally as well. With whole cost of ownership lower than traditional vehicles. The sooner we get more EVs on the road the better off we all are. We should be seeking to open markets. If we only listen to traditional automakers and restrict ourselves to traditional dealer model of sales we as a state and a country will likely be blind sided and the only affordable vehicles will be those built by the Chinese and dealerships will only survive selling behemoths and super luxury vehicles to rich. New car dealerships are among the largest of business in most states I don't think they need special protection. Owning my Tesla has been an absolute joy. I charge mostly at home and have solar panels so the cost of ownership is little more than insurance and tires. I generally use the car to commute but have taken a few road trips. I wish there were more superchargers available. Red River was an easy trip, but little in the way of destination charging."

**STATE OF NEW MEXICO
BEFORE THE ENVIRONMENTAL IMPROVEMENT BOARD**

**IN THE MATTER OF PROPOSED AMENDMENTS
TO 20.2.91 NMAC, NEW MOTOR VEHICLE EMISSION
STANDARDS,**

NO. EIB 23-56(R)

**NEW MEXICO ENVIRONMENT DEPARTMENT,

PETITIONER.**

DIRECT TESTIMONY OF DAVID BRADLEY

My name is Dave Bradley. I am the owner of Magpie Motors, 2511 First Street, NW, in Albuquerque, New Mexico. Magpie Motors an independent used car dealership in Albuquerque. I opened my business in 2020 and focus on selling good, affordable cars, especially electric vehicles, or EVs.

I have read the testimony and exhibits submitted by the New Mexico Automotive Dealers Association and Automundo de Garcia Ltd. The testimony says that “demand for electric vehicles has stalled” and that the Advanced Clean Cars II rule is a “failed start.” As an automobile dealer in New Mexico, I strongly disagree.

This year, I’ve sold about 80% EVs and for the most part, I don’t plan to continue stocking internal combustion engine cars - I’m all in on EVs.

My inventory is, first and foremost, affordable. The EVs I sell are all under \$25,000 and most are under \$20,000. Most of my customers are first time EV owners who are looking at EVs because they want the fuel savings of not paying for gas. Some customers come in because their cars get low mileage per gallon and they have long commutes - so with a low car payment, the avoided gas costs and practically no maintenance costs, it’s just more economical to buy an EV. I

**CLIMATE ADVOCATES
EXHIBIT D**

mostly get customers from the Albuquerque area, as well as some from Santa Fe and a few from rural areas.

As customers become more informed and educated about the advantages of EVs, demand will continue to rise. Part of my job is not just to sell my customers cars, but to educate them on EVs. For example, I get a lot of questions from customers who are worried they'll wake up one morning and their EV battery will be dead. I have to explain to them that's not how it works, it's not equivalent to the battery of a gas car. Another piece of that education is letting customers know about the available incentives. The used federal EV tax credit is \$4,000 - I make it clear that whatever price the car is, the customer will be paying \$4,000 less than that. It's on the car windshield if they visit in person and on the website it's the first line of the car's description; "This car is eligible for \$4,000 off the sale price at time of sale for qualified buyers and transfer of tax credits." No matter how the customer is finding out about the car, I make it easy to see that they're eligible for the tax credit. It's the best advertising I can get! It took me 15 minutes to sign up for the IRS portal so I can have customers transfer the tax credit to me. The process was easy, especially considering it's the IRS! It takes me maybe three minutes with a customer to do the time of sale reports and transfer the tax credit from the customer to Magpie. The \$4,000 or 30% of the vehicle price is deposited in my account within a few business days as cash. With the New Mexico state tax credit, I'll provide that to my customers as soon as I can. Ideally, I'd want to be able to pass it on as a lower price on the vehicle, but if that's not possible for my business then I'll work with my customers to make sure they are aware of the credit and able to access it through their individual tax refund. In the past few weeks, more and more of my customers have asked about the credit, so awareness is growing.

I've gotten customers at Magpie who have had people at dealerships - sales people and even managers - tell them that there's no used EV tax credit, among other misinformation. When I hear about customers' experiences, it's clear to me that a lot of traditional dealerships don't know much about EV features. They can't explain basic EV concepts like regenerative braking to their customers, they can't explain why customers will have much lower maintenance costs with an EV.

I have no problem selling my EV inventory. In the past year, the average EV is on my lot for about 45 days between me acquiring the car and then a customer buying it from me. That includes a couple of days where it's listed online, but is still in transit to me since I buy most of the cars at auction in Arizona. The amount of time EVs stay on my lot has generally decreased since I opened Magpie Motors. The reason I'm a smaller business with fewer cars isn't due to lack of demand in New Mexico for EVs - it's that Magpie Motors is a one-man operation. I generally have about ten cars in inventory at a time and they go pretty quickly. For example, I bought a used Chevy Bolt on February 8th and sold it on February 21st, I bought two more used Bolts on February 22nd and sold one the week of March 11th and the other on March 18th. These Bolts are selling quickly because they're the best cars on the market for the value in my opinion. Most of my customers show up already curious about EV's but lack the knowledge to make the switch. I have had excellent results taking the time to educate my customers. In fact, I have spent so much time hand holding and educating customers, for example I have customers who bought an EV after 2 months of discussion. But if I didn't take the time to do that, if I didn't have the knowledge I have, and if I wasn't willing to help my customers with all their concerns, I would not be as successful in selling EVs.

With the rise of new technology, education and an attitude change, I see no reason why New Mexico can't meet the standards in the rule. The transition to electric vehicles is happening.

I declare under penalty of perjury that the foregoing is true and correct.

March 20, 2024 /s/ Dave Bradley
David Bradley

Stellantis forges partnership with CARB in ambitious sustainability drive

By Jaelyn Campbell

March 20, 2024



Stellantis recently announced that it has partnered with the California Air Resources Board (CARB) as part of its [Dare Forward 2030](#) business strategy. This partnership indicates the company's commitment to achieving industry-leading sustainability goals, precisely its aim to become carbon net zero by 2038.

As part of the agreement with CARB, Stellantis has pledged to intensify its efforts to promote the adoption of [electric vehicles](#) (EVs) in the United States. This includes educating American dealers and consumers about the benefits of EVs and working with Veloz, an organization dedicated to raising awareness of

EVs. Stellantis will also donate an additional \$10 million to install public EV chargers and provide subsidized EVs to groups in underserved areas.

Stellantis [CEO Carlos Tavares](#) expressed optimism about this partnership, stating that it will curb 10 to 12 million metric tons of greenhouse gas emissions while providing U.S. customers access to advanced technologies, including five plug-in hybrids and two electric vehicles. California [Governor Gavin Newsom](#) praised the partnership for helping the state achieve its pollution reduction goals and promoting clean vehicle adoption. CARB officials emphasized the importance of industry collaboration in accelerating zero-emissions options and advancing a sustainable future.

Currently, Stellantis sells five plug-in hybrids in the United States, including the Jeep Wrangler 4xe, Grand Cherokee 4xe, Chrysler Pacifica Hybrid, Dodge Hornet, and Alfa Romeo Tonale. It also offers two fully electric cars: the Ram ProMaster EV and the FIAT 500e. The company plans to launch eight new battery electric vehicle (BEV) models in the U.S. this year, which is part of its goal to offer 48 BEV nameplates worldwide by the end of 2024.

<https://www.cbtnews.com/stellantis-forges-partnership-with-carb-in-ambitious-sustainability-drive/>