

EIB-2023-11-16-ACCII-3-2-vote

I'm going to start going up. Oh, I can respond. I was wondering, like, actually trying to review it, like, once or twice.

It can be tricky. Somewhere. It can be tricky.

The what thing? Well, they're not on top of it. Mm-hmm. Yeah, I've been able to.

Yeah. And now we all. There's a telephone.

Yeah. Oh, I'll let you jump in. Excuse me.

Katie. Sorry. I'm just wondering.

I'll text you. Oh, really? It's like. Are you guys.

Yeah. Thank you for this. I think so.

Thank you. Yes, ma'am. Oh, wonderful.

And I just want to note that we are back on the record. and it is 8.49 p.m. And just looking over at the court recorder, you're ready to roll too? Thank you. All right.

So good evening, everybody and fellow board members. I know we had to do a little quick change here and we were in the midst of discussing the department's proposal and some of the elements of what we heard over the last few days, testimony and some of the record that was submitted, the evidence on the record. And I'm just looking at the board and seeing if anybody wanted to continue to jump in.

I know, I just want to note too that our court reporter said he had a hard stop at 10 p.m. And actually I want clarification on that. Is that something that both the boards, we need to finish up before? Okay, I just want to double check that understanding. All right.

So fellow board members, I don't know if you want to continue our discussion about the department's proposal. I forget where we left off. Yes, member Garcia.

Thank you. Yes, I think I was about to say, I have to put my head back into this, that we heard a lot of great testimony. I learned a lot from the witnesses and I appreciate all the information they gave us.

I do note that there was a bit of misinformation as well, as always happens when there's complicated regulations. And my understanding is nobody is going to be made to do anything. Nobody's going to be made to buy an EV.

Of course the manufacturers are made to do something under this rule. They're having to deliver a certain percentage depending on the year, et cetera. But folks are not going

to be made to buy EVs or P-HEVs.

And what caught my attention was that this rule will impact the market and it will impact the dealerships and they're going to have to juggle with the manufacturers and it could impact the availability of the ICE vehicles. I understand all that. I'm thinking that we're moving towards electric vehicles.

All this is going to happen eventually anyway. There's going to have to be some adjustments with the relationship with the dealers and the manufacturers at some point anyway. So with that, I'm willing to go to proceed with a motion or I don't want to cut off any discussion.

I just am ready to make a motion unless anybody wants to stop me. Thank you, Member Garcia. Yeah, I think we're ready for a motion.

I see thumbs up by Member Bitzer and thumbs up by Vice Chair and Member Ely. So yes, Member Garcia. Okay, thank you.

I'll take a stab at it and our council can correct me if I'm not doing this correctly. So I move that our board adopt the proposal by the Environment Department. And I'm looking at the clean copy of the amendments to Title 20, Chapter 2, Part 91, Advanced Clean Cars 2. And based on the evidence presented in the hearing, throughout the hearing, based on the evidence presented by the Environment Department and others, and that the proposed rule appears to be technically, or has technical practicability, economic reasonableness, and is in the public interest.

And I think that's it. Did I cover everything? Okay. Yes, thank you.

We have a motion on the floor by Member Garcia and I'm looking around to see if there's a second. I'll second that. Thank you, Member Ely.

And I just wanna note that we have the motion and a second. And is there any further discussion on the motion on the floor? Seeing nobody with any further discussion, I'll move to Ms. Jones.

Would you mind doing a roll call vote on Member Garcia's motion and Member Ely's second? Ms. Schall? Yes. Roll call on the motion.

Member Bitzer, how do you vote? I'll vote no. Member Ely? Yes. Yes.

Member Garcia? Yes. Vice Chair Trujillo? No. Chair Svina? Yes.

You have three votes in the affirmative and two negative. Thank you. Ms.

Jones, and so double check with legal counsel. Is that an approval of the motion? Thank you. With that, I know I have, is there any other comments or questions by the board?

Yes, Member Ely.

I haven't had an opportunity to think about the, you say so much work into this and came forward. I learned a lot during this hearing and I just want to thank everybody and their hard work in making this happen. Thank you.

Thank you, Member Ely. And I also want to echo that sentiment and I want to thank everybody who's sat with us over the last week. And with that, I want to state that the board's decision will be issued in writing and will include its reasons for the action taken.

The board administrator shall provide notice of the board's action to each of the participants in the hearing and to all other persons who have made a written request to the board for notification of the action taken. And I think that's all for the EIB at this point. I believe I turn it back over to the Albuquerque AQ.

Point of information. We have a hearing tomorrow? Yes. It was on my calendar, but I thought, no, no, it must be a mistake because we're doing this.

No, we do. It's fine. Thank you, Member Buzza.