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Attorney General Marshall Files Coalition Lawsuit Against Biden and California's Electric Vehicle Mandates

(Montgomery, Ala) – Alabama Attorney General Steve Marshall filed two lawsuits to stop both the Biden Administration and the State of California from imposing electric-vehicle mandates on truck owners and operators throughout the country. The coalition of 24 states filed a petition for review in the U.S. Court of Appeals for the D.C. Circuit to challenge the Biden Administration's new regulation of emissions from heavy-duty vehicles.

A separate coalition of 17 states and the Nebraska Trucking Association filed a lawsuit in the U.S. District Court for the Eastern District of California that seeks to block a package of regulations targeting trucking fleet owners and operators.

"Biden and California's draconian electric-vehicle mandates pose direct and disastrous economic harms for the rest of the country. The second that a company drives a truck within California's borders compliance will be required," said Attorney General Marshall. "Is it realistic that out-of-state companies—just driving through the state—would need an electric truck that costs \$400,000 before the costs of installing chargers? This will result in huge costs for all companies and further strain our supply chain, which will affect all of our personal finances."

The States' D.C. Circuit suit targets the federal Environmental Protection Agency's (EPA) rule imposing stringent tailpipe emissions standards for heavy-duty vehicles that effectively forces manufacturers to produce more electric trucks and fewer internal-combustion trucks. The lawsuit argues that, right now, electric trucks—and the infrastructure needed to support them—are virtually nonexistent. They also have shorter ranges and require longer stops. The EPA's rule, however, would require manufacturers to produce fewer vehicles that utilize traditional internal-combustion technology.

The coalition's suit against California also challenges several California regulations called Advanced Clean Fleets. Advanced Clean Fleets requires certain trucking fleet owners and operators to retire internal-combustion trucks and transition to more expensive and less efficient electric trucks. The rule applies to fleets that are headquartered outside of California if they operate within California. Given California's large population and access to ports for international trade, this regulation will have significant nationwide effects on the supply chain.

"Unachievable electric truck mandates set our local trucking industry and Alabama consumers up for failure," said Alabama Trucking Association President and CEO Mark Colson. "The severe shortage of charging infrastructure, the substantial costs of these unproven trucks, and their numerous operational limitations make them unsuitable to serve our 21st century supply chain, and all Americans will pay the price. Rather than forcing a one-size-fits-all approach of unrealistic targets and timelines, we should have policies that embrace innovation and an all-of-the-above strategy to build on the trucking industry's successful track record of reducing



emissions. I applaud Attorney General Marshall for fighting to stop these misguided and ill-informed government overreaches that are taking money out of the pockets of Alabamians.”

Both lawsuits argue that the Biden Administration and California regulators have exceeded their constitutional and statutory authority in attempting to force the entire country to transition to electric trucks. In addition to their legal flaws, both regulations defy reality. Electric trucks are less efficient, less reliable, and more expensive. The challenged regulations will harm all Americans by raising the costs of interstate transportation, increasing prices for basic goods, and burdening the electric power grid.