



KAPLAN KIRSCH ROCKWELL

Colorado Clean Car Standards

Kaplan Kirsch & Rockwell represented a coalition of environmental non-profit organizations and Colorado Communities for Climate Action (CC4CA), a coalition of 20 local governments, as intervenor parties before the Colorado Air Quality Control Commission in regulatory proceedings to adopt stricter, low-emission vehicle (LEV) standards and zero-emission vehicle (ZEV) standards. In November 2018, the Commission voted unanimously to adopt the LEV standards, over the objections of car manufacturer and dealer industry groups, followed by a vote in August 2019 to adopt the ZEV standards.

Because the federal administration subsequently rolled back its vehicle greenhouse gas standards, if that rollback is eventually upheld, the Colorado decisions will result in millions of tons of avoided carbon pollution in the state each year starting in 2022, reaching an amount equivalent to shutting down two coal-fired power plants by 2030. The climate benefits (through avoided climate pollution) from this program range from \$6.1 to \$18.4 billion net present value (to 2050). The program will also result in a substantial reduction in ozone precursors and other air pollution, through a cleaner fleet of cars, trucks and SUVs, that will burn less gasoline and diesel.

The Advanced Clean Car program will save Coloradans considerable amounts of money, as the standards will result in more fuel-efficient cars, trucks, and SUVs. An expert report filed in the proceeding estimates that the rules will save Coloradans up to \$1 billion per year by 2030 and more \$4 billion a year by 2050. Low-income car owners and those driving trucks and SUVs can be expected to save the most from the LEV standards. Meanwhile, the adopted ZEV standard will help accelerate the market for electric vehicles in Colorado, providing increased options and lower prices over time. The Commission's decisions were especially notable because they allowed Colorado to become the first non-coastal state to adopt the more stringent standards, which may have the secondary effect of helping the nationwide fleet of cars to become cleaner.

Our firm briefed and argued the LEV and ZEV cases in front of the Commission and is currently representing our environmental non-profit clients in Colorado state court cases challenging the rules.

Related Practices

Air Quality
Clean Transportation, Beneficial Electrification, and Microgrids
Climate Policy & Litigation
Energy and Climate Change

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