

# 2022 SESSION

## HOUSE SUBSTITUTE

22106153D

### HOUSE BILL NO. 1267

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Agriculture, Chesapeake and Natural Resources  
on February 9, 2022)

(Patron Prior to Substitute—Delegate Wilt)

*A BILL to amend and reenact § 10.1-1307.05 of the Code of Virginia and to repeal the second, third, and fifth enactments of Chapter 263 of the Acts of Assembly of 2021, Special Session I, relating to low-emissions and zero-emissions vehicle standards.*

**Be it enacted by the General Assembly of Virginia:**

**1. That § 10.1-1307.05 of the Code of Virginia is amended and reenacted as follows:**

**§ 10.1-1307.05. Low-emissions and zero-emissions vehicle standards.**

A. As used in this section:

"LEV" means low-emission vehicle.

"ZEV" means zero-emission vehicle.

B. The Board may adopt by regulation and enforce any model year standards relating to the control of emissions from new motor vehicles or new motor vehicle engines, including LEV and ZEV standards pursuant to § 177 of the federal Clean Air Act (42 U.S.C. § 7507). The Board ~~shall~~ *may* promulgate final regulations for an Advanced Clean Cars I Program that includes (i) an LEV program for criteria pollutants and greenhouse gas emissions and (ii) a ZEV program only for motor vehicles with a gross vehicle weight of 14,000 pounds or less. Such programs shall be applicable to motor vehicles beginning with the ~~2025~~ 2030 model year, or to the first model year for which adoption of such standards is practicable. The Board shall periodically amend any regulations adopted pursuant to this section to ensure continued consistency of such standards with the Clean Air Act.

**2. That the second, third, and fifth enactments of Chapter 263 of the Acts of Assembly of 2021, Special Session I, are repealed.**

**3. That the regulations adopted by the State Air Pollution Control Board on December 1, 2021, pursuant to § 10.1-1307.05 of the Code of Virginia, as it was in effect on June 30, 2022, and the second enactment of Chapter 263 of the Acts of Assembly of 2021, Special Session I, shall be withdrawn and may be repromulgated consistent with the provisions of this act, subject to the requirements of the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).**

**4. That any regulations that may be adopted by the State Air Pollution Control Board pursuant to § 10.1-1307.05 of the Code of Virginia, as amended by this act, shall not be adopted prior to December 1, 2027, and shall not become effective prior to January 1, 2029.**

HOUSE  
SUBSTITUTE

HB1267H1