

Response to Post Hearing Comments Submitted by Matthew Hart, Illinois Trucking Association on Proposed Clean Air Standards: Proposed 35 Ill. ADM. CODE 242, P.C.#419

Illinois Pollution Control Board

Docket Number R24-17

Submitted by Josh Witkowski, Lobbyist representing ABATE of Illinois (A Brotherhood Aimed Towards Education)

ABATE of Illinois is a State Motorcyclist Rights Organization which represents the interests of motorcyclists in the state of Illinois. As such, we are entering a response to comments submitted by the Illinois Trucking Association as P.C. #419 in docket number R24-17 before the board.

In those comments, the ITA stated *“Furthermore, the proposed rule will adversely affect any business that relies upon commercial vehicles to safely deliver goods and services and it will increase costs to vehicles and to the maintenance of vehicles.”*

ABATE is acutely aware of how proposed adoption of California Air Resource Board (CARB) standards will negatively impact the maintenance of motorcycles if enacted in Illinois. Motorcycles are highly dependent on aftermarket providers of parts to maintain their motorcycles. This is due to manufacturers discontinuing the original manufacturing (OEM) of parts after a short period of time. However, in California motorcyclists are not allowed to use aftermarket parts unless those parts have been certified as meeting CARB standards. OEM parts are automatically certified as meeting CARB standard because they had to meet EPA standard when engine was first manufactured. Replacement aftermarket parts, however, have to undergo independent testing in order to meet CARB certification.

The cost for independent testing to meet the certification process often causes parts providers to not seek the certification due to the very limited and specialized market for these parts. This has led to a shortage of parts authorized for use on California roads. Illinois motorcyclists would face the same problem if CARB regulation were adopted under the proposal in docket R24-17.

Last year, the largest parts supplier in the US Market made it a requirement that California motorcycle owners purchasing aftermarket parts sign an affidavit stating that the parts would not be used for on road engines and further required parts sellers to keep these affidavits on record for inspection by CARB officials. This is a level of interference in commerce that should not be allowed to play out in Illinois.

I personally own a 9 year old Harley Davidson motorcycle that has had many engine, intake and exhaust parts made unavailable by Harley as part of “obsolescence”. Of course, they

are more than happy to sell me a new motorcycle instead of providing parts for my current model. If CARB regulations were brought to Illinois, I would not be able to get certain parts needed to continue operation of this motorcycle. Instead, I would be shipping it off to a non CARB compliant state, or the junkyard. The stated goal of CARB regulations is to improve the environment. Is it truly environmentally friendly to require the early retirement of serviceable vehicles and the purchase of new ones as a replacement? ABATE believes CARB regulations as applied would result in more harm than good when it comes to environmental benefit.

Additionally, this would all but end the ability for antique and collector motorcycles to be maintained in Illinois. This would have a negative impact on Rt 66 tourism and for museums, events, and shows all throughout Illinois.

With regards to increased costs in vehicles, ABATE has seen a significant cost increase in motorcycles that are more stringent on emissions. For example, the 2020 Harley Davidson Iron 1200 Sportster equipped with a motor that does not meet European emissions regulations was replaced by the 2021 Sportster S which does meet the more stringent requirement. The 2020 Iron was \$9,999. The 2021 S was \$14,999 – a 50% increase for models that are nearly identical with the exception of the new emissions friendly powertrain. ABATE would note that CARB has looked to adopt the European emissions model in the past as well.

CARB was also looking at making the requirement for prohibition of sales of internal combustion engines applicable to motorcycles as well. While that has ceased for now, it has not stopped completely. So, for cost comparison sake - A 2024 Ninja 6x-R, internal combustion sport bike is very comparable to a 2024 Zero SR/S, electric sport bike. The Ninja retailed at \$11,399 vs \$20,995 for the SR/S. This is an 84% increase in cost for comparable motorcycles.

In closing, ABATE of Illinois strongly recommends the Board rejecting the proposal contained in docket R24-17. We are supportive of the positions outlined by the Illinois Trucking Association in their comments.