



Motorcycle Riders Foundation

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January 10, 2024

Sarah Dunham,
Director, Office of Transportation and Air Quality
National Highway Traffic Safety Administration
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Re: Docket ID No. EPA–HQ–OAR–2023–0292

Request for Comment on “California State Motor Vehicle Pollution Control Standards; Advanced Clean Cars II Regulations; Request for Waiver of Preemption

Dear Director Dunham,

On behalf of the Motorcycle Riders Foundation (MRF), thank you for the opportunity to submit comments regarding the proposed waiver of preemption under section 209(b) of the Clean Air Act for the Advanced Clean Cars II (ACC II) regulations submitted by the California Air Resources Board (CARB). We recognize the far-reaching impact that decisions by CARB have on all Americans, not just those who reside in the Golden State, and thus feel compelled to respond. We strongly oppose the waiver request by California, which we believe is an attack on the internal combustion engine and our lifestyle as motorcyclists.

The MRF provides leadership at the federal level for state motorcyclists’ rights organizations as well as motorcycle clubs and individual riders. The MRF is chiefly concerned with issues at the national and international levels that impact the freedom and safety of American street motorcyclists. The MRF is committed to being a national advocate for the advancement of motorcycling and its associated lifestyle and works in conjunction with its partners to help educate elected officials and policymakers in Washington and beyond. As such, the MRF and its network of over 250,000 motorcyclists are pleased to offer the following comments.

While the current proposed plan and waiver request is focused on cars and light-duty trucks, we are not so naïve as to believe that motorcycles will not soon come into the crosshairs of this radical plan. In fact, later this month CARB is holding a public workshop to examine changes to motorcycle emissions policy that would phase out the internal combustion engines for new motorcycle sales.



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Motorcycles are a unique and key component of our transportation system. Rising fuel prices and increased congestion have seen Americans continue to turn to motorcycles as a reliable, fuel efficient, and affordable means of transportation. According to the Insurance Institute for Highway Safety, in 2021 there were 952,977 registered on-road motorcycles in the State of California. That number is more than double the 409,170 registered in 2002.¹ This increase in motorcycle ownership clearly demonstrates that consumers see the advantages motorcycles provide in our complex transportation ecosystem.

We are also very aware, that if granted, this waiver would not just impact Californians. Other states have surrendered their autonomy to California and blindly joined this attack on the internal combustion engine. Meaning that the nearly 10 million bikers in this country will be subject to the policy goals of bureaucrats in Sacramento.

Our concerns about the push for zero emissions are not without merit. For nearly 40 years, the MRF and its members have traveled the country meeting, talking, and learning from bikers from coast to coast. We understand the mindset of the American street rider and fear that a push to zero emissions will destroy a vibrant and distinctively American lifestyle. Aside from personal preference, there remains much skepticism about the physical infrastructure surrounding the push towards zero emissions.

The MRF strongly believes that forcing consumers to purchase a product they don't want, and will not use, is not an effective public policy. Allowing the market to freely dictate the products available to consumers will result in the best outcomes for all those involved.

The motorcycling community is not limited to just riders. The support system around motorcycling includes aftermarket parts dealers, who have for over 100 years provided the parts and expertise to modify and alter bikes. The ability to work on one's motorcycles, customize, repair, and rebuild them is a critical part of motorcycling. A shift towards zero emissions will destroy that unique part of our lifestyle and a historic part of American culture. It will also cause unknown economic damage to the thousands of small businesses across the country that service and maintain the nearly 10 million motorcycles on our nation's roadways.

Thankfully many state and federal lawmakers agree that allowing California to effectively dictate emissions policy for the rest of the country is wrong. Last year, with bipartisan support, the U.S.

¹ <https://www.iihs.org/api/datastoredocument/bibliography/2225>



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House of Representatives passed H.R. 1435, Preserving Choice in Vehicle Purchases Act. The bill would revoke the waiver process in section 209(b) of the Clean Air Act.

Just before the end of 2023, Ohio Governor Mike DeWine signed H.B. 201 into law. The bill's main focus is to *"Prohibit a state agency, county, or township from restricting the sale or use of a motor vehicle based on the energy source used to power the motor vehicle; to prohibit a state agency from adopting the California emissions standards for motor vehicles."*

It should also be noted that Connecticut Governor Ned Lamont recently withdrew his proposal that would have mirrored this California plan. We believe that this action demonstrates that many are having second thoughts about the rush to kill the internal combustion engine.

All too often motorcyclists are an afterthought when discussing transportation and emissions policy. Make no mistake, motorcyclists care deeply about the survival of the internal combustion engine. We are actively engaged in advocacy to push back on the threat to our way of life. We appreciate the opportunity to share our thoughts with you on this issue and look forward to working with you as we fight to save a key element of who we are as bikers.

Sincerely,

Kirk R. Willard
President, Chairman of the Board
Motorcycle Riders Foundation