



State of New Mexico

Michelle Lujan Grisham
Governor

EXECUTIVE ORDER 2023-138

TRANSITIONING THE STATE OF NEW MEXICO'S VEHICLE FLEET TO NET ZERO EMISSIONS

WHEREAS, New Mexicans have always treasured the air, land, and water of our beautiful state;

WHEREAS, the lands and environment of our State do not belong to us, but are part of a trust that we are obligated to protect, preserve, and ensure that they remain beautiful and whole for our children, their children, and every generation to follow;

WHEREAS, climate change is a threat to who we are as New Mexicans and endangers how people have lived in this place for thousands of years;

WHEREAS, New Mexico is a rural state, which makes tackling the emissions of the transportation sector a challenge because many New Mexicans depend on cars and trucks to get to work, school, and grocery stores;

WHEREAS, the Federal Government in its report, *GAO-23-105350, Federal Fleets: Zero-Emission Vehicle Implementation*, defined zero-emission vehicles as: (1) battery electric vehicles (BEV), which are powered solely by a battery on board; (2) plug-in hybrid electric vehicles (PHEV), which are powered by a combination of a battery on board and a gasoline engine; and (3) fuel cell electric vehicles, which are powered by the conversion of hydrogen to electricity;

WHEREAS, the transition of the State of New Mexico’s vehicle fleet to zero-emission vehicles will require detailed infrastructure planning that recognizes the need for accessible charging, development of procurement standards and strategies, employee education and training, and optimization of vehicle types purchased and deployed;

WHEREAS, the National Renewable Energy Lab’s (NREL) technical report, *Decarbonizing Medium- & Heavy-Duty On-Road Vehicles: Zero-Emission Vehicles Cost Analysis*, shows that zero-emission vehicles (ZEVs) can reach total-cost-of-driving parity with conventional diesel vehicles by 2035 for all medium- and heavy-duty (MD/HD) vehicle classes, with ZEV sales potentially reaching 42% of all MD/HD trucks by 2030, reflecting lower combined vehicle purchase and operating costs, potentially reducing CO₂ emissions levels in 2045 by 69% from 2019 levels; and

WHEREAS, transitioning the State of New Mexico to a ZEV fleet will benefit the State and its residents environmentally, socially, and economically.

NOW, THEREFORE, I, Michelle Lujan Grisham, Governor of the State of New Mexico, by the authority vested in me by the Constitution and laws of the State of New Mexico do hereby **ORDER** and **DIRECT** as follows:

1. All state agencies shall acquire ZEVs for all new vehicle acquisitions where one or more ZEV options for the appropriate class of vehicle are available.
2. The New Mexico General Services Department (GSD) and New Mexico Department of Transportation (NMDOT) shall institute state fleet purchase requirements as soon as practicable that are measurable, enforceable, and include benchmarking and progress reporting.
3. All state agencies shall transition to a full ZEV fleet by 2035 by instituting the following policies:

a. Agencies must work with the Transportation Services Division (TSD) to propose targets, including annual progress targets, where applicable, to meet this Order's goals and requirements for ZEV acquisition and charging equipment deployment.

b. Agencies shall issue or revise existing agency policies, directives, and guidance, as appropriate, including policies that impact employee training.

c. Agencies with ten or more vehicles shall annually work with TSD to develop and submit to the Office of the Governor a data-driven, strategic plan that includes proposed annual ZEV acquisition and charging equipment deployment targets.

d. All state agencies shall work with GSD to include the installation of Level 2 or Level 3 EV charging stations in the design and construction of any new facilities.

4. Notwithstanding any provision in this Order, state agencies may continue to purchase appropriate internal combustion engine vehicles for construction, maintenance, emergency management, firefighting, or law enforcement use where no equivalent ZEV is available or when a ZEV would be substantially less effective for the intended use.

I FURTHER ORDER and DIRECT as follows:

1. This Order supersedes any previous orders, proclamations, or directives to the extent they are in conflict.

2. This Order shall take effect immediately and shall remain in effect until renewed, modified, or rescinded.

3. Nothing in this Order is intended to create a private right of action to enforce any provision of this Order or to mandate the undertaking of any particular action pursuant to this Order; nor is this Order intended to diminish or expand any existing legal rights or remedies.

ATTEST:

Maggie Toulouse Oliver

MAGGIE TOULOUSE OLIVER
SECRETARY OF STATE



DONE AT THE EXECUTIVE OFFICE
THIS 16TH DAY OF OCTOBER 2023

WITNESS MY HAND AND THE GREAT
SEAL OF THE STATE OF NEW MEXICO

Michelle Lujan Grisham
MICHELLE LUJAN GRISHAM
GOVERNOR