

# Volkswagen Settlement



By Justin Mabrey, MDE

# Background

- From 2009 thru 2015 Volkswagen sold 2.0 and 3.0 liter diesel powered vehicles equipped with illegal "defeat devices".
- Due to these defeat devices, these vehicles emitted ten to forty times above the NOx standard.
- As part of the settlement, VW is required to spend a total of \$2.7 billion on emission reduction strategies/programs in the U.S.







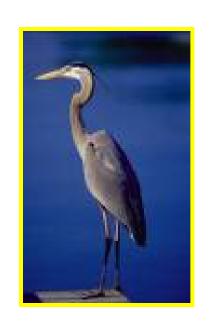
## Background

- All States were eligible to receive settlement funds under this agreement.
- States are eligible to receive funds based on the number of illegal diesel vehicles that were sold in each state.
- Approximately 16,357 of the illegal 2.0 and 3.0 liter diesel vehicles were sold in Maryland.
- Based on this number, Maryland is eligible to receive \$75.7 Million.
- States have up to ten years to spend funds.

Maryland

## Background

- As part of the settlement with Volkswagen, a
   Trust Fund was developed to fund projects to
   reduce NOx emissions from the transportation
   sector.
- The Federal Government, California, and VW shall select a Trustee to manage and award funds for projects submitted under this Agreement.
- States shall select a Beneficiary Lead Agency that will develop a workplan outlining how the State will spend its funds and submit projects to the Trustee.





#### Timeline

- Trust Effective Date (TED): Trust Finalized between the court and Trustee. Date is TBD, possibly toward the end of summer.
- Within 60 days of TED, Maryland must submit certification form to become a Beneficiary and name a Lead Agency.
- Within 120 days of TED, Trustee must file list of designated Beneficiaries.
- Once designated, the Beneficiary has 90 days to submit a Trust Mitigation WorkPlan outlining the use of Funds.



#### Eligible Projects

- Only projects outlined in the consent decree (Appendix D-2) are eligible for funding under this Mitigation Plan.
  - Most vehicles can be repowered with any new diesel or alternate fuel engine or all-electric engine, or replaced with any new diesel or alternate fuel or all-electric vehicle.
  - All vehicles replaced under the Mitigation Plan must be scrapped.



#### Eligible Projects

- Class 8 Local Freight and Port Drayage Trucks
  - Replaced or Repowered
- Class 4-8 School Bus, Shuttle Bus or Transit Bus
  - Replaced or Repowered
- Freight Switchers
  - Replaced or Repowered
- Ferries/Tugs
  - Repowered
- Ocean Going Vessel Shorepower

- Class 4-7 Local Freight Trucks
  - Replaced or Repowered
- Airport Ground Support Equipment
  - Replaced or Repowered with All-Electric
- Forklifts and Port Cargo Handling Equipment
  - Replaced or Repowered with All-Electric
- Light Duty Zero Emission Vehicle Supply Equipment

Maryland

Department of

DERA option

## **Funding**

- Up to 15% of total state funds can be spent on light duty electric vehicle infrastructure.
- For all Government owned eligible projects, VW can cover up to 100% of the funding.
- For non-government owned equipment a match will be required. This match will vary from 25 to 75% based on the project.

#### Status of Maryland's Plan

- MDE is working with other state agencies to identify potential projects eligible for funding.
- MDE will also work with other eligible entities (local governments, private business, communities etc...) to develop potential projects.
- MDE will open a comment period for anyone to submit comments on the Draft Mitigation Plan before the Plan is submitted to the Trustee.
- The Plan must be resubmitted to the Trustee to reflect any changes to selected projects or to the goals of the Plan.
  - Any changes to the Plan will made public and open to comments.

## Volkswagen's Electric Vehicle Investment

- As part of the settlement, Volkswagen must invest \$2 Billion in Electric Vehicle Infrastructure and Brand Neutral Outreach (Appendix C).
  - Funding for installation, operation and maintenance of ZEV infrastructure
  - Educational and outreach efforts that are "brand-neutral"
  - Programs to increase public exposure to ZEVs (e.g. ZEV car sharing, ZEV ride hailing)
- \$800 Million will be allocated to California with \$1.2 Billion being spent in the other states over the next ten years.
- States have no authority over where and how funding is spent.
- VW has stated that funding will be directed to EV corridors.

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