



COLORADO

Department of Public Health & Environment

Introduction

The Air Pollution Control Division (APCD) intends to propose an Employee Traffic Reduction Program (ETRP) rule for consideration by the Air Quality Control Commission in May 2021, requesting a hearing be set for August 2021. Over the last several months, the Regional Air Quality Council (RAQC) and its stakeholder partners have developed and drafted concept language and a framework for an ETRP rule, and have been conducting outreach in the region regarding ETRP models. The APCD intends to build upon the RAQC's work in developing such a rule, and it may evolve in terms of scope and requirements before being considered for adoption by the AQCC.

Purpose and Details

On a state-wide basis, transportation became the largest source of greenhouse gas (GHG) emissions in 2020. In 2019, Colorado passed legislation to address climate change and set science-based GHG reduction targets of 26% by 2025, 50% by 2030 and 90% by 2050. These reductions are based on 2005 levels. The state Greenhouse Gas Pollution Reduction Roadmap calls for a variety of emission-reduction strategies across all sectors, including reducing traffic and transitioning to cleaner transportation options. Furthermore, along the Front Range, transportation is the largest source of nitrogen oxides (NOx) and third largest source of volatile organic compounds (VOCs,) both contributing to the formation of ground-level ozone pollution. The Denver Metropolitan/Northern Front Range area is currently designated as a serious nonattainment area for ozone by the U.S. EPA and will likely be redesignated as a severe nonattainment area in the coming year.

- ETRP will apply to companies and organizations with a certain number of employees (APCD is seeking feedback from employers with 100 employees and above)
- APCD is evaluating whether ETRP should apply to the Front Range ozone nonattainment area or Statewide, and to what extent
- Employers at or above the employee threshold will be required to develop and implement a plan to reduce total Vehicle Miles Traveled by employees commuting to and from a worksite, and measure progress against that plan
- ETRP's main purpose is to reduce associated vehicle emissions (ozone-forming and GHGs) and traffic congestion
- ETRP will also result in a variety of employee and employer benefits, including financial savings, reduced overhead costs, enhanced employee recruitment and retention, and greater equity among employees.

Employer plans to reduce vehicle miles traveled by employees who commute to and from a worksite through measures such as telecommuting, flexible work schedules, public transit, ridesharing (carpool, vanpool), employee shuttles, and/or other methods that meet employers' specific capabilities and business needs. These plans would reduce vehicle

emissions state-wide and have co-benefits such as reducing traffic congestion. ETRP also carries a variety of other potential benefits, including financial savings and enhanced quality of life for employees, reduced overhead costs, and improved employee recruitment and retention. There are at least 27 programs like these already working successfully throughout the United States, and a few Transportation Management Associations within the Front Range ozone nonattainment area already offer voluntary programs in which employers participate.

We want to make sure you are informed about this rulemaking process and the concepts currently under consideration. Your feedback is important and will be carefully considered during the development of this rule.

How to Engage in the Rulemaking Process

The Division is currently seeking feedback from stakeholders on all concepts related to this rulemaking and welcomes feedback and suggestions on topics including but not limited to:

- *Employee threshold for rule applicability (ETRP rules in other states include a range of employee thresholds, from 10+ - 1,000+)*
- *Commuting reduction goal(s)*
- *Consideration of a tiered approach (e.g., base requirements on regional characteristics, such as population density and access to transit)*
- *Types of trip-reduction incentives*
- *Equity considerations*
- *Establishing an employee commute baseline, survey methodology for assessing employee commute practices, and program reporting requirements*
- *Alternative compliance options*
- *Timeline to achieve goals, possible phased approach*
- *Strategies to encourage compliance with ETRP goals.*

Division Stakeholder Process and Participation Opportunities (via Zoom due to COVID-19)

- Stakeholder engagement is ongoing. Information about how to submit comments and participate in engagement opportunities is posted at <https://cdphe.colorado.gov/reducing-greenhouse-gas-emissions-from-transportation>
- May 19-20, 2021: Request for Rulemaking Hearing before the Air Quality Control Commission
- August 19-20, 2021: anticipated Rulemaking Hearing before the Air Quality Control Commission

Written comments may be submitted here: [GHG Transportation Comment Form](#)

(please indicate which rule component you are commenting on)

Or mailed to:

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