

# SUPPLEMENTAL AGENDA MATERIAL for Supplemental Packet 2

Meeting Date: January 19, 2021

Item Number: 23

Item Description: Introduce an Ordinance terminating the sale of new gasoline,

diesel and natural gas passenger vehicles throughout the City

of Berkeley by 2025

Submitted by: Councilmember Harrison

### The item has been amended to:

- Clearly reflect changes made by the FITES committee at its November 18, 2020 meeting, including 1) changing the item to a referral to the City Manager from the original author's directing the City Attorney, 2) clarifying that the ordinance deals with new car sales only, and 3) clarifying the relationship to the City's "Electric Mobility Roadmap" and the July 2020 referral response to Council: "An Action Plan for Greening the City of Berkeley Fleet of Vehicles.
- Clarify that the dates and dollar value of new passenger vehicles to be transitioned may vary as long as the goal of phasing out the gas-powered inventory by 2030 is retained.
- Clarify that, as the ordinance would be phased in over time, reductions in sales tax from fossil fuel vehicles would be offset by additional EV sales tax revenues over the transition period.
- Reflect the Department of Public Works 2020 "Action Plan for Greening the City of Berkeley Fleet of Vehicles", including reference to the light duty EV fleet replacement cost estimate of \$9.76 million, which includes \$300,000 already allocated for the cost of charging infrastructure, over the next ten years, compared with \$8.34 million for gasoline/hybrid vehicles,
- Describe the availability of a wide range of electric vehicles from manufacturers with dealerships in Berkeley.
- Reference and compare Governor Newsom's 2020 executive order phasing out gasoline-powered vehicles by 2035.





ACTION CALENDAR January 19, 2021

To: Honorable Mayor and Members of the City Council

From: Councilmember Cheryl Davila

Subject: Introduce an Ordinance terminating the sale of new gasoline, diesel and natural gas

passenger vehicles throughout the City of Berkeley by 2025

### **RECOMMENDATION**

(At the Wednesday, November 18, 2020 Meeting of the Facilities, Infrastructure, Transportation, Environment & Sustainability Policy Committee, the Committee reviewed this item and voted with a positive recommendation with the following amended actions)

- 1. Refer to the City Manager to prepare any draft ordinances that, to the extent legally permissible, achieve an 80% phase out of the sale of <a href="new gasoline">new gasoline</a>, diesel and natural gas passenger vehicles throughout the City of Berkeley by 2027. This shall include termination of purchasing these vehicles to support City fleets and, for the general public, a staged phase out of such cars valued at over \$28K by 2025, over \$23K by 2026, and all others by 2027, in order to actively create a used electric vehicle market for lower income customers that allows them to acquire electric vehicles at a cost equal to or below that of comparable gasoline, diesel, or natural gas vehicles.
- 2. Refer to the City Manager and/or designee(s) to report to the City Council, in consultation with other City Departments the following information: (A) ways to promote and facilitate the use and sale of all-electric vehicles in the City, particularly among low income communities, including the provision of local tax incentives and rebates, as large as is necessary to cover any cost difference between an electric car and a comparable gas car; ways to promote and facilitate the purchase and use of electric micro mobility alternatives (e-bikes, scooters) in the City, particularly among low income communities and families, including loaner programs, subsidized long term rentals, purchase subsidies, and expanded secure parking for e-bikes, including larger cargo bikes; and the establishment of public charging station and related infrastructure to support all-electric vehicles; (B) any "just transition" elements related to the above action, including the impact upon and opportunities for auto mechanics.

### POLICY COMMITTEE RECOMMENDATION

On November 18, 2020 the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee adopted the following action: M/S/C (Harrison/Davila) to the send the item with a positive recommendation as amended by the committee with the following recommendation: Adopt a resolution with the following actions:

1. Refer to the City Manager to prepare any draft ordinances that, to the extent legally permissible, achieve an 80% phase out of the sale of <u>new gasoline</u>, diesel and natural gas passenger

vehicles throughout the City of Berkeley by 2027. This shall include the termination of purchasing these vehicles to support City fleets and, for the general public, a staged phase out of such cars on a tiered basis, for example phasing out new passenger cars sold for over \$28K by 2025, passenger vehicles valued at over \$23K by 2026, and all other passenger vehicles by 2027. —, in order to actively create a used electric vehicle market for lower income customers that allows them to acquire electric vehicles at a cost equal to or below that of comparable gasoline, diesel, or natural gas vehicles.

2. Refer to the City Manager and/or designee(s) to report to the City Council, in consultation with other City Departments with the following information: (A) ways to promote and facilitate the use and sale of all-electric vehicles in the City, particularly among low income communities, including the provision of local tax incentives and rebates, as large as is necessary to cover any cost difference between an electric car and a comparable gas car; ways to promote and facilitate the purchase and use of electric micro mobility alternatives (e-bikes, scooters) in the City, including loaner programs, subsidized long term rentals, purchase subsidies, and expanded secure parking for e-bikes, including larger cargo bikes; and the establishment of public charging station and related infrastructure to support all-electric vehicles; (B) any "just transition" elements related to the above action, including the impact upon and opportunities for auto mechanics.

Vote: All Ayes.

### **BACKGROUND**

The earth is already too hot for safety. Humanity can no longer safely emit greenhouse gases if it wishes to avoid reaching irreversible climate tipping points.

Only one degree Celsius of global warming is already causing excessive and unnecessary damage worldwide. Together, Hurricanes Harvey and Irma are estimated to have cost upwards of \$290 billion dollars. Hurricane Maria has cost Puerto Rico up to \$90 billion. Hurricane Dorian was the most costly disaster in Bahamian history, estimated at \$7 billion in property damage. The combined death tolls from these hurricanes are unprecedented.

Closer to home, the devastating wildfires in California have killed dozens of people, burned thousands of homes and other structures, caused the evacuation of hundreds of thousands of people, and are estimated to cost the state upwards of \$80 billion a year.

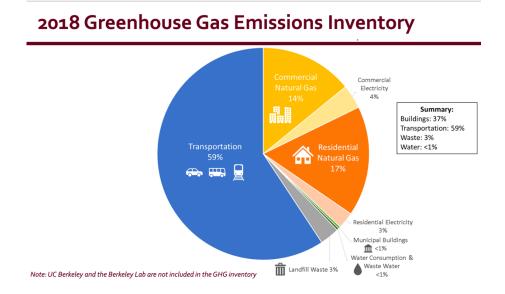
Low income communities of color continue to suffer the most extreme impacts of climate disasters, underlying the environmental justice component of inaction. The nation and the world is in a climate emergency.

Extreme storm damage to refineries in Florida, Texas and along the Gulf Coast have caused price spikes in gasoline prices across the country. The volatility of fossil fuel prices will continue in a climate-disrupted future and will particularly impact low income residents.

Additionally, emissions from vehicles powered by fossil fuels and from production and refinement of fossil fuels contribute substantially to health problems for frontline communities living near freeways, oil drill sites and refineries. Disproportionately, the burden of dirty fuel energy is borne by low income communities of color, while reductions in fossil fuel burning would have a measurable impact on asthma-induced emergency room visits across.

To drastically reduce greenhouse gas emissions, countries such as Great Britain, India, China and Germany have already set an end date on the sales of gasoline and diesel powered passenger vehicles. Due to the short-term climate emission dangers posed by methane leaks associated with natural gas extraction, the sale of natural gas vehicles should be included in any ban.

We need to act locally as nearly 60% of Greenhouse Gasses in Berkeley come from vehicle emissions, according to the most recent <u>climate action plan update</u>.



Governor Newsom issued an <u>executive order</u> on September 23, 2020 phasing out the sale of gasoline-powered cars and drayage trucks across California by 2035. The order also requires zero emission heavy-duty trucks by 2045 where feasible. The Governor has also set aside approximately \$1.5 billion to subsidize electric car purchases and leases and for charging infrastructure.

This item differs from the state order as it only addresses passenger vehicles, which are the easiest to electrify. It also proposes a more aggressive phaseout timeline based on vehicle purchase price and consistent with scientific research. The <u>2018 U.N. IPCC report</u> implies that wealthy countries and cities must strive to reach net-zero by 2030 as opposed to merely reaching global net-zero by 2050.

In January 2021 Climate researchers <u>released an alarming study</u> suggesting that the world has already locked-in at least a devastating 2 degrees Celsius of warming from existing emissions. The study's authors advise that humans *have agency to determine whether we will reach this existential milestone within a few decades or over centuries*. By achieving net-zero an emergency pace, humans may secure precious time to adapt to a drastically warmer climate.

This referral also strengthens existing work being done to transition the City's fleet. In 2019, the Council requested that the Department of Public Works create a plan to phase out gas-powered engines by 2030, with an earlier date for passenger vehicles. This referral sets that earlier date as starting in 2025. The Department of Public Works July 2020 response to Council's referral for "An Action Plan for Greening the City of Berkeley Fleet of Vehicles" referenced a light duty EV fleet replacement cost estimate of \$9.76 million, which includes the \$300,000 of cost for charging infrastructure already funded through regular annual appropriations, over the next ten years compared with \$8.34 million for gasoline/hybrid vehicles,

Automobile manufacturers such as Audi and Volvo are moving toward all-electric vehicle (EV) sales and General Motors, Ford, Land Rover and BMW are introducing new lines as well. The manufacturers supporting major dealerships in Berkeley, including Honda, Toyota, Fiat and

BMW, already produce a wide range of electric vehicles. <u>BMW recently announced</u> that it plans to have electric alternatives for each of its most popular gasoline models (see attached). A healthy secondary electric vehicle market is already making EVs more affordable than ever.

If the City is to continue to thrive and play a role as an international leader in climate action and the green economy, all efforts must be made to reduce greenhouse gas emissions in every sector, including transportation, as soon as possible. In order to protect and promote the health of its residents, the City should make all efforts to reduce exposure to toxic emissions from freeways, oil drill sites and refineries. The City should also be poised to take advantage of the Governor's proposed funding for electric vehicles and charging infrastructure as well as that offered by East Bay Community Energy by insuring we have a healthy electric vehicle sales market in place.

The FITES committee at its November 18, 2020 meeting modified the item to be a referral to the City Manager to phase out the sale of new passenger vehicles in Berkeley, <u>clarifying that this applies only to new vehicles</u>. The phased nature of the proposed ordinance would help ensure that reductions in sales tax from fossil fuel vehicles would be offset by additional EV sales tax revenues over the transition period.

FITES also expanded the scope of the referral to align with the City's "Electric Mobility Roadmap" report by requesting the City Manager consider ways to promote and facilitate the purchase and use of electric micro mobility alternatives (e-bikes, scooters) in the City, particularly among low income communities and families, including loaner programs, subsidized long term rentals, purchase subsidies, and expanded secure parking for e-bikes, including larger cargo bikes; and the establishment of public charging station and related infrastructure to support all-electric vehicles.

### FINANCIAL IMPLICATIONS

To be determined.

### **ENVIRONMENTAL SUSTAINABILITY**

The Berkeley City Council unanimously passed the Climate Emergency Declaration in June 2018, and has a record of passing legislation to protect our climate. It is important, now more than ever to take the next step to insure that we are prepared and ready for the climate crisis we will face.

### **CONTACT PERSONS**

Cheryl Davila
Councilmember District 2
510.981.7120
cdavila@cityofberkeley.info

### **ATTACHMENTS:**

- 1. Resolution
- 2. The Verge: BMW will make an all-electric 5 Series, 7 Series, and X1 Part of a refocusing of the company's electrification push

### **RESOLUTION NO. XXXX**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BERKELEY IN SUPPORT OF INTRODUCING AN ORDINANCE TERMINATING THE SALE OF NEW GASOLINE, DIESEL,

## AND NATURAL GAS PASSENGER VEHICLES THROUGHOUT THE CITY OF BERKELEY BETWEEN 2025 AND -2027

WHEREAS, The Berkeley City Council unanimously passed the Climate Emergency Declaration on June 12, 2018; and

WHEREAS, the cities of Richmond, Oakland, Hayward, Alameda, El Cerrito, Chico, Fairfax, Healdsburg, Davis, Arcata, Cloverdale, Malibu, Petaluma, San Jose, San Mateo County, Santa Cruz City & County, Sonoma County and Windsor have also passed Climate Emergency Declarations; and

WHEREAS, There are over 48 cities throughout the United States who have declared, as well as over 1180 governments and 23 countries throughout the world. The declaration is the first step; and

WHEREAS, As unprecedented winter wildfires and ensuing mudslides destroyed parts of our City and region, a climate emergency mobilization of our City has never been more fiercely urgent; and

WHEREAS, Such an effort must end to the maximum extent technically feasible city-wide greenhouse gas emissions in every sector by 2025 and begin a large-scale effort to safely and justly remove carbon from the atmosphere; and

WHEREAS, Without an immediate and drastic change from the status quo, humans will cause irreversible and ever-worsening damage to the Earth's climate; and

WHEREAS, To act too late, or to be too cautious in our vision and do too little, carries the risk of condemning the City and its residents to an increasingly uninhabitable climate and potentially catastrophic economic losses caused by worsening disasters; and

WHEREAS, Abnormal wildfires, mudslides and other demonstrate that the climate emergency threatens everyone, the disasters wrought by an abruptly destabilizing climate have so far most devastatingly impacted lower-income communities of color first and worst. Drought, famine, and instability have devastated countries in the Global South; and

WHEREAS, Millions of climate refugees have already left their homes in search of a safe place to live. In the United States, we have seen after Hurricanes Katrina, Sandy, Harvey, Irma, Maria and Dorian how environmentally and economically vulnerable have been generally left to fend for themselves; and

WHEREAS, The City must therefore aggressively move to reduce and remove greenhouse gas emissions and adapt and restore ecosystems by rapidly adopting legislation to mandate such efforts Citywide and by doing so in such a way that lower-income and frontline communities of color benefit first from mitigation and adaptation funds. The City can thereby create a model for other cities to follow and use its global climate leadership standing to lead the way. By doing so, Berkeley can trigger a global mobilization to restore a safe climate, thereby creating the conditions for a future, not of chaos and misery, but of community and dignity; and

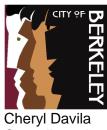
WHEREAS, The City's "Action Plan for Greening the City of Berkeley Fleet of Vehicles" confirms the financial feasibility of electrifying the municipal passenger vehicle fleet over the next decade; and

WHEREAS, Berkeley's major dealerships all offer a wide range of new electric passenger vehicles with new options each year; and

WHEREAS, Berkeley must provide for electric micro mobility alternatives (e-bikes, scooters) in addition to electric-vehicles in order to meet its climate and equity goals as provided in the "Electric Mobility Roadmap"; and

NOW, THEREFORE IT BE RESOLVED, that the Berkeley City Council refer to the City Manager to prepare any draft ordinances that, to the extent legally permissible, achieve an 80% phase out of the sale of gasoline, diesel and natural gas passenger vehicles throughout the City of Berkeley by 2027. This shall include termination of purchasing these vehicles to support City fleets and, for the general public, a staged phase out of such cars, for example phasing out new passenger cars sold for valued at over \$28K by 2025, over \$23K by 2026, and all others by 2027, in order to ensure the city meets its goal of being Fossil Fuel free by 2030; and

BE IT FURTHER RESOLVED, that the Berkeley City Council refer to the City Manager and/or designee(s) to report to the City Council, in consultation with other City Departments the following information: (A) ways to promote and facilitate the use and sale of all-electric vehicles in the City, particularly among low income communities, including the provision of local tax incentives and rebates, as large as is necessary to cover any cost difference between an electric car and a comparable gas car; ways to promote and facilitate the purchase and use of electric micro mobility alternatives (e-bikes, scooters) in the City, particularly among low income communities and families, including loaner programs, subsidized long term rentals, purchase subsidies, and expanded secure parking for e-bikes, including larger cargo bikes; and the establishment of public charging station and related infrastructure to support all-electric vehicles; (B) any "just transition" elements related to the above action, including the impact upon and opportunities for auto mechanics.



Cheryl Davila
Councilmember
District 2

To: Honorable Mayor and Members of the City Council

From: Councilmember Cheryl Davila

Subject: Introduce an Ordinance terminating the sale of gasoline, diesel and natural gas

passenger vehicles throughout the City of Berkeley by 2025

### RECOMMENDATION

Adopt a resolution with the following actions:

(At the Wednesday, November 18, 2020 Meeting of the Facilities, Infrastructure, Transportation, Environment & Sustainability Policy Committee, the Committee reviewed this item and voted with a positive recommendation with the following amended actions)

- 1. Refer to the City Manager to prepare any draft ordinances that, to the extent legally permissible, achieve an 80% phase out of the sale of gasoline, diesel and natural gas passenger vehicles throughout the City of Berkeley by 2027. This shall include termination of purchasing these vehicles to support City fleets and, for the general public, a staged phase out of such cars valued at over \$28K by 2025, over \$23K by 2026, and all others by 2027, in order to actively create a used electric vehicle market for lower income customers that allows them to acquire electric vehicles at a cost equal to or below that of comparable gasoline, diesel, or natural gas vehicles.
- 2. Refer to the City Manager and/or designee(s) to report to the City Council, in consultation with other City Departments the following information: (A) Feasibility of terminating the sale of gasoline, diesel and natural gas passenger vehicles; (B) ways to promote and facilitate the use and sale of all-electric vehicles in the City, particularly among low income communities, including the provision of local tax incentives and rebates, as large as is necessary to cover any cost difference between an electric car and a comparable gas car; ways to promote and facilitate the purchase and use of electric micro mobility alternatives (e-bikes, scooters) in the City, particularly among low income communities and families, including loaner programs, subsidized long term rentals, purchase subsidies, and expanded secure parking for e-bikes, including larger cargo bikes; and the establishment of public charging station and related infrastructure to support all-electric vehicles; (C) any "just transition" elements related to the above action, including the impact upon and opportunities for auto mechanics.

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2. Refer to the City Manager and/or designee(s) to report to the City Council, in consultation with other City Departments with the following information: (A) Feasibility of terminating the sale of gasoline, diesel and natural gas passenger vehicles; (B) ways to promote and facilitate the use and sale of all-electric vehicles in the City, particularly among low income communities, including the provision of local tax incentives and rebates, as large as is necessary to cover any cost difference between

an electric car and a comparable gas car; ways to promote and facilitate the purchase and use

of electric micro mobility alternatives (e-bikes, scooters) in the City, particularly among low income communities and families, including loaner programs, subsidized long term rentals, purchase subsidies, and expanded secure parking for e-bikes, including larger cargo bikes; and the establishment of public charging station and related infrastructure to support all-electric vehicles; (C) any "just transition" elements related to the above action, including the impact upon and opportunities for auto mechanics.

Vote: All Ayes.

### BACKGROUND

The earth is already too hot for safety. Humanity can no longer safely emit greenhouse gases if it wishes to avoid reaching irreversible climate tipping points.

Only one degree Celsius of global warming is already causing excessive and unnecessary damage worldwide. Together, Hurricanes Harvey and Irma are estimated to have cost upwards of \$290 billion dollars. Hurricane Maria has cost Puerto Rico up to \$90 billion. Hurricane Dorian was the most costly disaster in Bahamian history, estimated at \$7 billion in property damage. The combined death tolls from these hurricanes are unprecedented.

Closer to home, the devastating wildfires in California have killed dozens of people, burned thousands of homes and other structures, caused the evacuation of hundreds of thousands of people, and are estimated to cost the state upwards of \$80 billion a year.

Low income communities of color continue to suffer the most extreme impacts of climate disasters, underlying the environmental justice component of inaction. The nation and the world is in a climate emergency.

Extreme storm damage to refineries in Florida, Texas and along the Gulf Coast have caused price spikes in gasoline prices across the country. The volatility of fossil fuel prices will continue in a climate-disrupted future and will particularly impact low income residents.

Additionally, emissions from vehicles powered by fossil fuels and from production and refinement of fossil fuels contribute substantially to health problems for frontline communities living near freeways, oil drill sites and refineries. Disproportionately, the burden of dirty fuel energy is borne by low income communities of color, while reductions in fossil fuel burning would have a measurable impact on asthma-induced emergency room visits across.

To drastically reduce greenhouse gas emissions, countries such as Great Britain, India, China and Germany have already set an end date on the sales of gasoline and diesel powered passenger vehicles. Due to the short-term climate emission dangers posed by methane leaks associated with natural gas extraction, the sale of natural gas vehicles should be included in any ban.

Furthermore, automobile manufacturers such as Audi and Volvo are moving toward all-electric vehicle (EV) sales and General Motors, Ford, Land Rover and BMW are introducing new lines as well. A healthy secondary electric vehicle market is already making EVs more affordable than ever.

If the City is to continue to thrive and play a role as an international leader in climate action, all efforts must be made to reduce greenhouse gas emissions in every sector, including transportation, as soon as possible. In order to protect and promote the health of its residents, the City should make all efforts to reduce exposure to toxic emissions from freeways, oil drill sites and refineries.

### FINANCIAL IMPLICATIONS

To be determined.

ENVIRONMENTAL SUSTAINABILITY
The Berkeley City Council unanimously passed the Climate Emergency Declaration in June 2018, and has a record of passing legislation to protect our climate. It is important, now more than ever to take the next step to insure that we are prepared and ready for the climate crisis we will face.

### **CONTACT PERSONS**

Cheryl Davila Councilmember District 2 510.981.7120 cdavila@cityofberkeley.info

### **ATTACHMENTS:**

1. Resolution

### **RESOLUTION NO. XXXX**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BERKELEY IN SUPPORT OF INTRODUCING AN ORDINANCE TERMINATING THE SALE OF GASOLINE, DIESEL, NATURAL GAS VEHICLES THROUGHOUT THE CITY OF BERKELEY BY 2025

WHEREAS, The Berkeley City Council unanimously passed the Climate Emergency Declaration on June 12, 2018; and

WHEREAS, the cities of Richmond, Oakland, Hayward, Alameda, El Cerrito, Chico, Fairfax, Healdsburg, Davis, Arcata, Cloverdale, Malibu, Petaluma, San Jose, San Mateo County, Santa Cruz City & County, Sonoma County and Windsor have also passed Climate Emergency Declarations; and

WHEREAS, There are over 48 cities throughout the United States who have declared, as well as over 1180 governments and 23 countries throughout the world. The declaration is the first step; and

WHEREAS, As unprecedented winter wildfires and ensuing mudslides destroyed parts of our City and region, a climate emergency mobilization of our City has never been more fiercely urgent; and

WHEREAS, Such an effort must end to the maximum extent technically feasible city-wide greenhouse gas emissions in every sector by 2025 and begin a large-scale effort to safely and justly remove carbon from the atmosphere; and

WHEREAS, Without an immediate and drastic change from the status quo, humans will cause irreversible and ever-worsening damage to the Earth's climate; and

WHEREAS, To act too late, or to be too cautious in our vision and do too little, carries the risk of condemning the City and its residents to an increasingly uninhabitable climate and potentially catastrophic economic losses caused by worsening disasters; and

WHEREAS, Abnormal wildfires, mudslides and other demonstrate that the climate emergency threatens everyone, the disasters wrought by an abruptly destabilizing climate have so far most devastatingly impacted lower-income communities of color first and worst. Drought, famine, and instability have devastated countries in the Global South; and

WHEREAS, Millions of climate refugees have already left their homes in search of a safe place to live. In the United States, we have seen after Hurricanes Katrina, Sandy, Harvey, Irma, Maria and Dorian how environmentally and economically vulnerable have been generally left to fend for themselves; and

WHEREAS, The City must therefore aggressively move to reduce and remove greenhouse gas emissions and adapt and restore ecosystems by rapidly adopting legislation to mandate such efforts Citywide and by doing so in such a way that lower-income and frontline communities of color benefit first from mitigation and adaptation funds. The City can thereby create a model for other cities to follow and use its global climate leadership standing to lead the way. By doing so, Berkeley can trigger a global mobilization to restore a safe climate, thereby creating the conditions for a future, not of chaos and misery, but of community and dignity; and

NOW, THEREFORE IT BE RESOLVED, that the Berkeley City Council refer to the City Manager to prepare any draft ordinances that, to the extent legally permissible, achieve an 80% phase out of the sale of gasoline, diesel and natural gas passenger vehicles throughout the City

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BE IT FURTHER RESOLVED, that the Berkeley City Council refer to the City Manager and/or designee(s) to report to the City Council, in consultation with other City Departments the following information: (A) Feasibility of terminating the sale of gasoline, diesel and natural gas passenger vehicles; (B) ways to promote and facilitate the use and sale of all-electric vehicles in the City, particularly among low income communities, including the provision of local tax incentives and rebates, as large as is necessary to cover any cost difference between an electric car and a comparable gas car; ways to promote and facilitate the purchase and use of electric micro mobility alternatives (e-bikes, scooters) in the City, particularly among low income communities and families, including loaner programs, subsidized long term rentals, purchase subsidies, and expanded secure parking for e-bikes, including larger cargo bikes; and the establishment of public charging station and related infrastructure to support all-electric vehicles; (C) any "just transition" elements related to the above action, including the impact upon and opportunities for auto mechanics.