



August 15, 2025

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WP-08-15-25

The following information provided by:  
**EMA-Energy Marketers of America**



### **Energy Marketers of America Announces Victory in Challenge to “Clean Truck Partnership”**

EMA is pleased to announce the resolution of its pending lawsuit challenging the Clean Truck Partnership (CTP). Monday's announcement reflects the manufacturers of heavy-duty trucks stating that California's heavy-duty electric truck mandate is “void.” This announcement is a significant victory for energy marketers, the trucking industry, Nebraska, and the country.

Last November, EMA, along with the Renewable Fuels Nebraska (RFN) and the Nebraska Attorney General's Office, sued the manufacturers for signing the Clean Truck Partnership—an agreement that they would abide by California's electric-truck mandates irrespective of any litigation challenging their validity, the authority of the California Air Resources Board (CARB) to implement them, or the underlying State regulations. Based on the CTP, Energy Marketers contended, output of internal combustion engine (ICE) vehicles would have been reduced, thereby eliminating consumer choice and likely driving-up prices for those same vehicles to subsidize this so-called “transition” to zero emission vehicles (ZEVs). When the supply of ICE vehicles ran dry, Energy Marketers contended, motorists would have been left to purchase ZEVs they did not want – vehicles that came with a sticker price two or three times higher than comparable ICE vehicles. The lawsuit, filed in Lincoln County, sought a ruling that the Clean Truck Partnership was “void.”

On Monday, the parties filed a joint stipulation of dismissal where each of the manufacturers recognized that the Clean Truck Partnership is “voided” by Section 209 of the Clean Air Act and, for that and other reasons, cannot be enforced in Nebraska or elsewhere against any signatory.

Polling suggests that Americans overwhelmingly oppose electrification mandates. Despite public opposition, California had advanced these policies through efforts such as the CTP, undermining consumer choice and causing skyrocketing utility bills.

EMA is grateful to each of the manufacturers in the litigation for their assistance in achieving this resolution. The stipulation is not an admission of any liability, wrongdoing, or any violation of law by any party, nor of any factual allegations in the case. The stipulation also expressly recognizes this lawsuit's contribution toward regulatory clarity for the medium- and heavy-duty vehicles industry and their customers.

“CARB's aggressive attempt to electrify the heavy-duty transportation sector threatened to limit consumer choice on cleaner, greener internal combustion engine vehicles, increase Americans' utility bills to subsidize a massive expansion of the electric grid for EV charging, and endanger the viability and jobs of small business energy marketers around the country,” said EMA President Rob Underwood.

Electrified heavy-duty vehicles make up just one tenth of one percent of all heavy vehicles. CARB sought to arbitrarily increase that figure exponentially over the next several years. This forced transition to electric trucks threatened to increase transportation costs, hike prices for basic goods and also increase the cost of procuring the trucks that the EMA's members need to continue serving American motorists.

### **New EPA Guidance on Management of DEF Related Fault Conditions**

Diesel exhaust fluid (DEF) and selective catalytic reduction (SCR) emission control systems in current diesel on-highway heavy-duty vehicles and engines can force sudden speed and power reduction to as little as 5 mph or become inoperable within four hours in response to a DEF-related fault condition that degrades the performance of the SCR system. In 2024, EPA finalized rules, starting with model year 2027, which require new heavy-duty on-highway vehicles and engines to be designed to avoid sudden and severe power loss by providing a schedule for multiple step reduction in speed and power over a longer period. These rules, however, were not retroactive to existing heavy-duty on-highway vehicles.

On August 11, 2025, EPA issued additional [DEF guidance](#) that supplements prior guidance documents and expands available options for the management of DEF-related fault conditions. The guidance applies retrospectively to existing heavy-duty on-highway vehicles and prospectively for model year 2025 and model year 2026 heavy-duty on-highway vehicles. Three options

are provided to address a DEF-related fault condition that include the schedule outlined in the 2024 rule revision and an alternative schedule that reduces the number of speed and power loss step reductions (See table below)

	Initial Inducement Timing	Initial Inducement	Secondary Inducement Timing	Secondary Inducement	Final Inducement	Final Inducement Speed Limit
Heavy Duty Truck/Tractor Engines	650 Miles or 10 hours	15% Ramped Torque Derate	4,200 Miles or 80 hours	30% Ramped Torque Derate	8,400 Miles or 160 hours	25 mph

The guidance allows engine and equipment manufacturers to modify their DEF system software in existing vehicles and equipment to utilize one of the speed and power reduction options provided in the guidance. For additional information see [EPA’s DEF Guidance Fact Sheet](#).

**DOT Issues New NEVI Program Guidance**

On August 11, 2025, the Federal Highway Administration (FHWA) issued an interim final NEVI Program guidance document that makes significant changes to the previous NEVI Program guidance and restarts the NEVI Program.

The interim guidance limits the requirements on those specifically required under the statute and regulations. It streamlines the state plan submission and approval process requiring previous or revised state plans for all program years to be submitted within 30 days of the issuance of the guidance. The plans will only be reviewed for compliance with the statutory and regulatory requirements. The interim guidance provides the states with flexibility to allow distances greater than 50 miles between charging stations along alternate fuel corridors. It provides states with more flexibility in determining when the alternate corridor system is built out, allowing NEVI funds to be used on public roads statewide. It encourages selection of charging locations where the charging station owners are also the site host and eliminates requirements for states to address consumer protections, emergency evacuation plans, environmental siting, resilience and terrain considerations.

While the interim guidance is effective immediately, FHWA is inviting comments on the guidance and will consider substantive comments. Additional information on the interim guidance can be found at on the FHWA [NEVI Program web page](#).

**EMA’s Fall Meeting at the NACS Show 2025: October 13-14: Website and Registration Open!**

EMA will hold its Fall Meeting in conjunction with the NACS Show on October 13-14 at the InterContinental Chicago Magnificent Mile.

Invitations to the Fall 2025 NACS conference were sent to your inbox on July 8. Responding to the links on the invitation email is the recommended way to register. Housing registration deadline is September 19, 2025. Currently, Sunday, October 12, is sold out. We have started a waitlist. The remaining nights, October 13, 14, and 15 are all 65% sold out. Members have access to all other hotels with availability in the block. If the general block has rooms, you will continue to see those options. We look forward to seeing you in Chicago!

*An invitation was sent to your inbox on July 8. Responding to the links on the invitation email is the recommended way to register. Housing registration deadline is September 19, 2025 (Subject to Change) for Sunday, October 12, rooms are sold out, for Monday, October 13, 71 percent is sold out, for Tuesday, October 14, 67 percent is sold out and for Wednesday, October 15, 58 percent is sold out so please do not delay in making plans! Members have access to all other hotels with availability in the block. If the general block has rooms, you will continue to see those options.*

**[Click Here for EMA’s Fall Meeting at the NACS Show Information!](#)**

Remember, the NACS Show registration is separate from EMA’s Fall Meeting registration.

**Special EMA Members Code for NACS Show 2025 Registration**

**[Click Here to Register for the NACS Show and Use the EMA Promocode:2025EMANS](#)**

Using the **2025EMANS** code provides EMA with \$100 for every retailer or marketer paid registration at any rate. **EMA encourages EMA state execs to promote and share with your state association’s member companies.** [Click here](#) for the flyer.

**\*\*Please note that EMA state execs are comped for NACS Show registration. Additionally, the NACS Show registration is separate from EMA’s Fall Meeting registration.**  
**[Click here](#)** for full instructions to register. Questions registering for NACS Show? Contact NACS Show registration customer service at [nacs@maritz.com](mailto:nacs@maritz.com) or 469-513-9489, Monday-Friday, 9:00 a.m. - 5:00 p.m. EST, for assistance.

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## **Weekend Reads**

[Electric vehicle sales growth eases to 21% in July, research firm says | Reuters](#)

[FTC Resolves Antitrust Concerns Arising from Clean Truck Partnership | Federal Trade Commission](#)

[Power, energy bill prices going up, gas price declining, Labor Department says](#)

[US crude production to hit record 13.41 million bpd in 2025 before falling, EIA says | Reuters](#)

[Why Ford is doubling down on electric vehicles | AXIOS](#)

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## **Federated Insurance: Risk Management Corner**

### **Protect Your Employees with Personal Protective Equipment**

When did you last check the personal protective equipment (PPE) your employees use? Are they wearing it correctly and for the right tasks, or not using it at all? Ensuring proper PPE use can help your employees stay safe and healthy on the job. And it could keep your business away from costly and preventable [workers compensation](#) claims.



### **Management Responsibilities**

As a leader in your industry, it's up to you to enforce the use of PPE. Consider the following to up your PPE game:

- [Management](#) develops and oversees a PPE program, conducts [hazard assessments](#), and trains supervisors.
- Supervisors provide, train, and ensure proper use of PPE while maintaining records.
- Employees wear PPE, attend regular training, and report repair or replacement needs.

### **The Value of Recordkeeping**

Keep detailed records of [training sessions](#) for compliance and accountability. This includes:

- Who was trained
- The type of training
- When training took place
- What was covered in training

Generally, training records are maintained for three years for each employee. As new hazards are identified, processes and equipment may need updates. Providing robust PPE solutions can be the difference between a safe business and one with frequent workplace injuries.

[Reach out to your local Federated Insurance® marketing representative today](#) for more information on employee safety. Clients can access [mySHIELD®](#) for additional industry-specific safety resources or please contact your [Federated](#) regional representative or EMA's National Account Executive [Jack West](#) at 262.719.7750 for any additional information or risk management questions.

**At Federated Insurance, It's Our Business to Protect Yours®**

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The **WPMA NEWS** currently serves EIGHT independent petroleum and convenience store associations.

**WPMA NEWS MAGAZINE CURRENT  
ISSUE**

Interested in a previous *WPMA News* issue? Click [HERE](#).



### **EMA JOURNAL - The Official Publication of the Energy Marketers of America**

Check out the EMA Journal anytime online by clicking [here](#).

The EMA Journal **SUMMER** issue is now available.

# REGISTRATION OPEN

Click on the desired event below to register

NMPMA - New Mexico Convention registration closes Sunday



## PLEASE NOTE UPCOMING DATES FOR WPMA EVENTS

August 19-21, 2025 - New Mexico (NMPMA) Convention - Sandia Resort - Albuquerque, NM

September 9-11, 2025 Utah (UPMRA) Convention - Park City Sheraton, Park City, UT

February 17-19, 2026 WPMAEXPO - MGM Grand - Las Vegas, NV

## Member Services



**Petro Pete:** Did you hear the one about the kid who started a business tying shoelaces on the playground? It was a knot-for-profit.

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