



State of West Virginia
Office of the Attorney General

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President Joseph R. Biden Jr.
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Biden:

As Attorney General of West Virginia, I write to you regarding an important concern: recent evidence showing that electric vehicles (EVs) are not ready for prime time.

Your administration is pushing a massive and hasty shift to EVs, through tax credits for upper-class buyers, billions in new spending, and oppressive new agency rules.

I have represented West Virginia—along with other States—in challenging your policies in court and in ongoing administrative proceedings. Our comment letters, amicus briefs, and petitions explain why your hurried plan to wipe out traditional vehicles is unreasonable and contrary to law. In those same cases, we have shown why the country is not ready for an all-EV future: the technology to power EVs is currently unreliable, EVs make us more dependent on foreign powers like China, and this puts car ownership out of reach for millions of lower-income Americans. We expect courts will agree; EPA and NHTSA rules governing fuel efficiency and tailpipe emissions are sure to fall

But now concerning news comes from the Midwest. As recent cold weather has worsened, reports of calamitous failures of EVs have rolled in. Numerous news reports detail the issue.¹

¹ Fox Business, *Chicago-area Tesla charging stations lined with dead cars in freezing cold* (Jan 15, 2024), available at <http://www.foxbusiness.com/technology/chicago-area-tesla-charging-stations-lined-with-dead-cars-in-freezing-cold-a-bunch-of-dead-robots-out-here>; Fox 32 Chicago, *Tesla supercharging station packed in Oak Brook, dead cars line parking lot due to frigid temps* (Jan. 15, 2024), available at <http://www.fox32chicago.com/news/dead-teslas-oak-brook>; CBS News, *Tesla owners run into battery charging trouble in Chicago's bitter cold* (Jan. 15, 2024), available at <http://www.cbsnews.com/chicago/news/tesla-owners-run-into-trouble-amid-bitter-cold/>; USA Today, *Tesla owners say EV batteries won't charge as brutally cold temperatures hit Chicago* (Jan. 17, 2024), available at <https://www.usatoday.com/story/money/cars/2024/01/17/tesla-battery-charging-station-cold-chicago/72252874007/>.

According to these reports, cold weather conditions have turned “[p]ublic charging stations . . . into car graveyards over the past couple of days.”² “[L]ong lines and abandoned cars” are mounting “at scores of . . . charging stations around the Chicago area.”³ Failures due to weather left EVs “sitting askew and immobile in the parking lot.”⁴ At one charging station alone, at least ten cars were towed.⁵

This widespread failure of EVs to handle seasonally routine weather is distressing. Consumers rely on their vehicles to get to work and back home and to obtain the necessities of daily life. Owners of these expensive EVs are now finding themselves out of luck when they need their cars the most. And cold weather doesn’t seem to be the only EV problem that’s recently been confirmed. Software problems have halted sales of the electric Chevy Blazer.⁶ And at least one electric-vehicle company founder has been convicted of defrauding investors by misrepresenting the company’s technology.⁷

Wise policymakers don’t just hold fast to an initial decision in the face of contrary information. One must take in new information that comes along, adjusting as appropriate.

I urge you to reconsider your EV policies in light of this new information. EVs are simply not ready for prime time, as the recent cold-weather incidents and so many other negative experiences show. Greater adoption of EVs must await the further development of this new technology. Americans must be able to trust that their cars and trucks are truly reliable and ready for us when needed. And automakers shouldn’t be compelled to make these vehicles until consumers actually want and need them.

The time has come to reconsider the pace of the attempted transition to EVs. Far better to change course when there is still time than to regret a massive mistake after it has been inflicted on consumers.

I fully understand the politics behind your efforts to push for an all-EV future. But as President, you have a duty to ground your administration’s policies in reality, not paranoia and fear. The American people deserve to be served by a President who admits when he has gotten something wrong or gone too far, too fast.

² Fox 32 Chicago, *Tesla supercharging station packed in Oak Brook, dead cars line parking lot due to frigid temps* (Jan. 15, 2024).

³ *Id.*

⁴ CBS News, *Tesla owners run into battery charging trouble in Chicago's bitter cold* (Jan. 15, 2024).

⁵ *Id.*

⁶ Mike Colias, *Chevy Blazer Troubles Add to GM's EV Growing Pains*, Wall. St. J. (Jan. 14, 2024), <https://www.wsj.com/business/autos/chevy-blazer-troubles-add-to-gms-ev-growing-pains-8f7e5c64>.

⁷ Peter Campbell, *Electric Vehicle Failures Offer Lessons for the Next Boom*, Fin. Times (Nov. 24, 2023), <https://www.ft.com/content/5bb14a28-7ce5-4e0c-8469-fa97ee607de7>.

Sincerely,

A handwritten signature in blue ink that reads "Patrick Morrissey". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Patrick Morrissey
West Virginia Attorney General