

Press Releases

August 2, 2018

ATTORNEY GENERAL MADIGAN ANNOUNCES INTENT TO SUE OVER FEDERAL ROLLBACK OF CLEAN CAR RULE***Abandoning New Federal Standards Will Cost Americans Between \$193 Billion and \$236 Billion More on Gas and Add Carbon Emissions Equivalent of 400 Million More Cars***

Chicago — Attorney General Lisa Madigan, along with 19 other attorneys general, released a joint statement announcing the intent to challenge the federal administration's illegal and environmentally-destructive plan to roll back federal limits on tailpipe pollution from cars and trucks.

"Federal rules to limit tailpipe pollution and improve fuel economy are our best strategy to reduce carbon pollution, improve air quality, and save drivers money on gas. The Administration's proposal to weaken these rules will cause the American people to breathe dirtier air and pay higher prices at the pump. If adopted, the Environmental Protection Agency and National Highway Traffic Safety Administration's rollbacks will cost American drivers hundreds of billions of dollars. Freezing or weakening these standards puts the health of our children, seniors, and all communities at risk, and increases the rising costs of climate change for our states. This decision upends decades of cooperative state and federal action to protect our residents. We are prepared to go to court to put the brakes on this reckless and illegal plan."

Background on Clean Cars Rule:

Globally, the transportation sector is the fastest growing source of dangerous greenhouse gas pollution. According to the U.S. Energy Information Administration, the transportation sector has surpassed the electric power sector and is now the nation's largest source of carbon dioxide emissions. Cars and light duty trucks make up 60 percent of the country's transportation sector and are the main driver of U.S. dependence on oil, including foreign imports.

Beginning in 2010, EPA, the National Highway Traffic Safety Administration, and the California Air Resources Board agreed to establish a single national program to limit greenhouse gas emissions from model year 2012–2025 vehicles. This program allows automakers to design and manufacture vehicles that will comply with tailpipe standards in all states.

The current federal standards for model year 2022–2025 vehicles are estimated to:

- Reduce greenhouse gas emissions by 540 million metric tons;
- Remove the equivalent of 422 million cars from the road; and,
- Save drivers \$1,650 per vehicle.

If enacted, EPA's proposal to freeze the emissions standards at 2020 levels would:

- Reduce average fuel economy from an estimated 46.8 miles per gallon in model year 2026 vehicles to 37 miles per gallon;
- Increase the country's oil consumption by 5.3 to 11.9 million gallons per day in 2025;
- Result in 16 to 37 million metric tons more carbon pollution in 2025; and,
- Cost Americans roughly \$193 billion to \$236 billion more at the pump through 2035.

In January 2017, after an extensive technical review, based in significant part on information from industry, advocates, and other interested parties, EPA determined, in its "midterm evaluation," that the 2022–2025 standards are readily achievable by the auto industry. EPA found that "automakers are well positioned to meet the standards at lower costs than previously estimated." However, in April, EPA arbitrarily reversed course and claimed that the greenhouse gas emissions standards for model years 2022–2025 vehicles should be scrapped. The Administration offered no evidence other than a meager record of self-serving industry support this decision and deferred further analysis to a forthcoming rulemaking.

Madigan, as part of a coalition of 17 states and the District of Columbia—who together represent 44 percent of the U.S population and 43 percent of the national new car sales market—sued the agency last month over its decision to withdraw the agency's evaluation supporting the standards. The lawsuit is based on the fact that EPA acted arbitrarily and capriciously, failed to follow its own Clean Car regulations, and violated the Clean Air Act.

Now, in its draft rule, EPA not only proposes to freeze federal emissions standards at 2020 levels but also threatens the authority of states to enforce stronger standards to protect residents. The Clean Air Act authorizes California to adopt emission standards that are more stringent than the federal standards and other states are authorized to adopt those same standards for new motor vehicles sold within their states. California's standards have a significant impact and are vitally important to public health for millions of Americans. The proposed rule would eliminate the California standard, subjecting every state to less efficient and dirtier standards. Madigan today announced her intent to sue over this new rule.

Joining Madigan in today's multistate statement are the attorneys general of Connecticut, Delaware, the District of Columbia, Hawaii, Iowa, Maine, Maryland, Massachusetts, Minnesota, New Jersey, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia and Washington.

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