



PRESS RELEASE

Attorney General Frosh Joins Coalition to Demand Withdrawal of Proposal to Roll Back the Nation's Clean Car Standards *Current Achievable Clean Car Standards Save Consumers Money, Reduce Emissions, and Prevent the Effects of Climate Change*

BALTIMORE, MD (October 26, 2018) – Maryland Attorney General Brian E. Frosh today joined a coalition of 21 attorneys general and four major cities, in filing [written comments](#) demanding the Trump administration's U.S. Environmental Protection Agency (EPA) and National Highway Traffic Safety Administration (NHTSA) withdraw their proposal to eliminate the national Clean Car Standards. The current Clean Car Standards require significant and feasible reductions in fuel economy and greenhouse gas (GHG) emissions from passenger cars and light trucks. The current rule is expected to prevent up to 2,000 premature deaths, 50,000 cases of respiratory ailments, and reduce asthma symptoms for the 24 million Americans, including 6.3 million children. The rule would save the average consumer \$1,620 over the lifetime of a personal vehicle.

The Trump administration's proposal would throw out these standards, which are supported by scientific research and have been repeatedly proven achievable, in favor of a plan that requires no improvements in vehicle fuel economy or GHG emissions for a period of at least six years. In addition, the proposal would unlawfully revoke Maryland's long-standing authority to manage its own more stringent GHG standards per the State's Clean Cars Act. This law allows Maryland to regulate GHG from passenger vehicles, and includes a Zero Emissions Vehicle (ZEV) mandate that car manufacturers must meet. As a result of the Clean Cars Program, Maryland has seen a substantial reduction in nitrogen oxide (NO_x) from highway vehicles as well as GHG emissions.

"The EPA and NHSTA have a responsibility to uphold standards that have, time and time again, been shown to be attainable and critical to reducing the pollutants that harm public health and the environment," said Attorney General Frosh. "We will continue to oppose this administration's efforts to chip away at protections that combat rapidly accelerating climate change and its dangerous consequences. The right of individual states to adopt pollution standards stricter than federal standards is critical to protecting public health and our unique environmental resources."

The Trump administration's proposal poses significant harm to consumers, public health, the economy, and the environment. It would degrade air quality and put millions of additional tons of climate-disrupting pollution into the atmosphere, while costing consumers billions of dollars in additional gasoline to operate less efficient vehicles. The EPA and NHTSA's plan also blatantly disregards pleas from [the scientific community](#), [businesses](#), and [world leaders](#) to regulate GHG emissions. Experts have [warned](#) that rolling back protections such as the Clean Car Standards would aggressively accelerate global warming with wide-ranging consequences including temperature increases, ocean warming, [sea level rise](#), increased hospitalizations and mortality, stress and die-off of animal and plant species, [extreme weather events](#), famine, drought, and forced human migration.

In the letter, attorneys general from 20 states, Washington, D.C. and mayors of the cities of Oakland, Los Angeles, San Francisco, and New York, call on the EPA and NHTSA to immediately withdraw the proposal. The coalition identifies important reasons why the proposal is unlawful and should be immediately withdrawn:

- The proposed standards would require little or no progress on GHG emission standards or fuel economy for a period of six years, replacing technically feasible standards requiring significant reductions in emissions and fuel consumption.
- The proposed rollback veers abruptly onto the road of catastrophic climate change and ignores overwhelming scientific consensus that immediate and continual progress toward a near-zero emission economy by mid-century is necessary to avoid irreversible and catastrophic climate change impacts;
- The agencies' rollback process violates numerous important procedural requirements, and is based on an illegitimate mid-term evaluation based on unsound evidence and data;
- EPA's proposal violates the Clean Air Act by increasing GHG emissions the agency is tasked to reduce;
- The proposed rollback is contrary to the Energy Policy Conservation Act and violates NHTSA's duty to promote energy efficiency and conservation; and
- The agencies' proposed rollback relies on flawed technical analysis.

The letter also addresses both agencies' unprecedented attack on California's standards, which have been adopted by 12 other states—including Maryland—and are the basis for many other states' emissions-reduction programs, stating:

- NHTSA's proposed finding that California's Emissions Standards are preempted is unfounded, and has already been rejected by two federal courts;
- EPA's proposal to revoke parts of California's Advanced Clean Cars waiver is contrary to statute and long-standing agency practice, and is unsupported by either facts or the law; and
- The proposal is an unlawful assault on the ability of California to retain the standards it designed and adopted specifically to protect Californians and could deprive other states of the ability to choose between the federal standards and California's standards.

BACKGROUND

In 2010, the EPA, NHTSA, the California Air Resources Board (CARB), and car manufacturers established a unified national program harmonizing GHG emission standards and fuel efficiency standards. Two years later, the agencies extended the national program to model years 2017-2025 vehicles. As part of the program, California and the federal agencies agreed to undertake a midterm evaluation to determine if the greenhouse gas emission standards for model years 2022-2025 vehicles should be maintained or revised.

In January 2017 the EPA completed the midterm evaluation by issuing a final determination, affirming that the existing standards were appropriate and would not be changed. The EPA arrived at this conclusion based on an extensive record it developed in conjunction with NHTSA and CARB. CARB also confirmed in January 2017 that its Advanced Clean Cars standards, which are part of the national program, remained appropriate and feasible.

On April 13, 2018, however, the Trump administration took the first step toward dismantling the national program when it issued a revised final determination that alleged the federal greenhouse gas standards for model year 2022-2025 vehicles were no longer appropriate. The administration failed to provide any appropriate or relevant evidence for its arbitrary and capricious revision of its previous midterm evaluation. A coalition of 17 states and the District of Columbia sued the EPA on May 1, 2018, over the Trump administration's April 13 action.

On August 2, 2018, the Trump administration made its rollback proposal official. In place of commonsense standards to increase vehicle fuel efficiency and reduce GHG emissions, as federal law requires, the administration moved to freeze the standards at the 2020 level through model year 2026. The administration's proposal would likely also block many other states that use California standards from moving forward.

The car industry is currently on track to meet or exceed existing Clean Car Standards. The federal Clean Air Act of 1970 preserves Maryland's authority to set its own stricter-than-federal vehicle emissions regulations to address the State's air quality challenges. Since the late 1960s, CARB has adopted, implemented, and enforced a wide array of nation-leading air pollution controls, based on a strong foundation of science and reflecting a longstanding partnership with federal air quality regulators. Its pollution control strategies have proven to be a model for other states, the nation, and other countries. The ability of other states to adopt California's strict vehicle emission standards, under specified conditions, is explicitly written into section 177 of the Clean Air Act.