



PRESS RELEASE

Attorney General Frosh Files Lawsuit Challenging Trump Administration’s Rollback of National Clean Car Standards

BALTIMORE, MD (May 27, 2020) – Maryland Attorney General Brian E. Frosh today joined a multistate coalition in [filing a lawsuit](#) challenging the Trump administration’s final rule rolling back the national Clean Car Standards. The previous standards required appropriate and feasible improvements in fuel economy and reductions in greenhouse gas emissions from passenger cars and light trucks, saving consumers money, reducing harmful emissions, and helping protect public health since they were introduced in 2010. The Safer Affordable Fuel-Efficient Vehicles (SAFE) rule stops this progress in its tracks, hurting the economy and public health.

In the lawsuit, the coalition argues that the final rule unlawfully violates the Clean Air Act, the Energy Policy and Conservation Act, and the Administrative Procedure Act.

“Rolling back the Clean Car Standards will endanger the health of countless Americans. It will pollute our air and water, accelerate climate change and be costly for consumers,” said Attorney General Frosh. “It’s heedless and illegal. It’s a gift to the fossil fuel industry at great expense to the American people.”

In 2010, the Environmental Protection Agency (EPA), the National Highway Transportation Safety Administration (NHTSA), the California Air Resources Board, and car manufacturers established a unified national program harmonizing greenhouse gas 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 and issued a final determination affirming that the existing standards were appropriate and would not be changed.

The following year, the Trump administration took its first step toward dismantling the national Clean Car Standards by reversing the final determination with a new mid-term evaluation that alleged the standards were no longer appropriate or feasible. The administration later made its rollback proposal official, despite the fact that the auto industry was currently on track to meet or exceed the Clean Car Standards.

On March 31, 2020, the final rule rolling back the Clean Car Standards was announced. The rule takes aim at the corporate average fuel efficiency standards, requiring automakers to make only

minimal improvements to fuel economy—on the order of 1.5 percent annually instead of the previously anticipated annual increase of approximately 5 percent. The rule also guts the requirements to reduce vehicles' greenhouse gas emissions, allowing hundreds of millions of metric tons of avoidable carbon emissions into our atmosphere over the next decade.

In the lawsuit, the coalition will argue that the rollback of the national Clean Cars Standards is unlawful because, among other things:

- The EPA and NHTSA's rollbacks violate the statutory text and congressional mandates they are bound by; and
- The EPA and NHTSA improperly and unlawfully relied on an analysis riddled with errors, omissions, and unfounded assumptions in an attempt to justify their desired result.

Attorney General Frosh joins the attorneys general of California, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Illinois, Maine, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, and Wisconsin. The California Air Resources Board; the Cities of Los Angeles, New York, San Francisco, and Denver; and the Counties of San Francisco and Denver also joined the coalition in filing the lawsuit.