

**ASSEMBLY CONCURRENT
RESOLUTION No. 94**

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 3, 2020

Sponsored by:

Assemblywoman NANCY J. PINKIN

District 18 (Middlesex)

SYNOPSIS

Opposes EPA and National Highway Traffic Safety Administration's proposed reductions to vehicle emissions and fuel efficiency standards.

CURRENT VERSION OF TEXT

As introduced.



1 **A CONCURRENT RESOLUTION** opposing the United States
2 Environmental Protection Agency’s and the National Highway
3 Traffic Safety Administration’s proposed reductions to vehicle
4 emissions and fuel efficiency standards.
5
6 **WHEREAS**, The United States Environmental Protection Agency
7 (EPA) is required to regulate national carbon dioxide (CO₂)
8 emissions under the “Clean Air Act” (42 U.S.C. s.7401 et seq.), and
9 the National Highway Traffic Safety Administration (NHTSA) is
10 required to regulate national fuel efficiency standards under the
11 “Energy Policy and Conservation Act of 1975” (42 U.S.C. s.6201 et
12 seq.); and
13 **WHEREAS**, The law requires the NHTSA to set average fuel efficiency
14 standards for each model year, and requires the EPA to set CO₂
15 emissions standards for light-duty vehicles, which results in the
16 agencies working on the standards in tandem as average fuel
17 efficiency and CO₂ emissions are inherently linked; and
18 **WHEREAS**, In 2012, the EPA set CO₂ standards for model years 2017-
19 2025, the NHTSA set fuel efficiency standards for model years
20 2017-2021, and NHTSA also set projected fuel efficiency standards
21 for model years 2022-2025 based upon the EPA’s CO₂ standards
22 for those model years; and
23 **WHEREAS**, The initial fuel efficiency standards, developed with the
24 support of automobile manufacturers, were designed to double the
25 fuel efficiency of new vehicles and cut carbon pollution from light-
26 duty vehicles in half by 2025; and
27 **WHEREAS**, The Union of Concerned Scientists estimated that the 2012
28 standards would avert 570 million metric tons of greenhouse gas
29 emissions by 2030, the equivalent of stopping 140 typical coal-fired
30 power plants for a year; and
31 **WHEREAS**, The EPA conducted a mid-term evaluation of its CO₂
32 standards for model years 2022-2025, releasing a technical
33 assessment report in July of 2016 for public comment, a draft
34 determination on December 6, 2016, and a final determination that
35 the initial standards were appropriate in January of 2017; and
36 **WHEREAS**, Although the mid-term review process was completed,
37 President Trump directed the EPA to reconsider the determination
38 of the mid-term evaluation in March 2017, because his intention
39 was to reduce costs for the automotive industry, and because he
40 found that there was any inaccuracy in the EPA and the NHTSA’s
41 environmental or economic analysis; and
42 **WHEREAS**, On August 2, 2018, the EPA and the NHTSA jointly
43 announced that they intended to keep fuel standards and CO₂
44 standards at a consistent level between model years 2022 and 2025
45 instead of pursuing the more aggressive fuel-cutting standards
46 previously put in place by the EPA, and published the full text of
47 the proposed rule on August 24, 2018; and

1 **WHEREAS**, Despite President Trump’s assertions, major automakers
2 have repeatedly stated that they do not support freezing fuel
3 standards; and

4 **WHEREAS**, The proposed rule has faced a great deal of criticism
5 concerning its economic and scientific validity, and the Chair of the
6 California Air Resources Board stated that the proposal
7 “completely misrepresents costs and savings,” and that it “relies on
8 “bizarre assumptions about consumer behavior” to reach “absurd
9 conclusions”; and

10 **WHEREAS**, The federal government’s rule proposal also aims to
11 revoke California’s authority to establish more stringent emissions
12 standards, which is a critically important tool for densely populated
13 states, like New Jersey, to address their unique air quality
14 challenges; and

15 **WHEREAS**, New Jersey is one of 12 states that have adopted
16 California’s tougher vehicle emissions standards as roughly 46
17 percent of its greenhouse gas emissions originate from the
18 transportation sector according to the New Jersey Department of
19 Environmental Protection; and

20 **WHEREAS**, The revocation of the authority for California to adopt
21 more stringent vehicle emissions standards is particularly troubling
22 because it will allow automakers to produce their entire fleet of cars
23 at lower emission performance levels, which will mean a greater
24 number of higher-emitting cars on the roads in New Jersey; and

25 **WHEREAS**, Because New Jersey is part of two of the largest
26 metropolitan areas in the country, the State’s role as a transportation
27 corridor makes the loosening of fuel efficiency standards
28 particularly threatening to the health of the citizens of the State; and

29 **WHEREAS**, New Jersey has never achieved the federal health-
30 quality standards for ground-level ozone, thus reductions in fuel
31 efficiency with a concomitant increase in CO₂ emissions will
32 make it even more difficult for the State to adequately protect its
33 citizenry from air pollutants; and

34 **WHEREAS**, The actions by the EPA and the NHTSA to loosen federal
35 emissions standards are opposed by a plethora of environmental,
36 medical, and health organizations, including a coalition led by the
37 American Lung Association as well as innumerable government
38 and non-governmental clean air organizations; and

39 **WHEREAS**, There is near-universal opposition to the reconsideration of
40 the rules in New Jersey, including from Governor Murphy the
41 Department of Environmental Protection, the Attorney General, and
42 members of the United States Congress elected from New Jersey;
43 and

44 **WHEREAS**, New Jersey has joined a 17-state lawsuit to block the
45 federal government’s effort to roll back the standards; and

46 **WHEREAS**, The New Jersey Legislature wishes to join the
47 overwhelming scientific and policy consensus in condemning the
48 proposed reduction in fuel efficiency standards and CO₂ emissions

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1 standards, as doing so would threaten both the long and short-term
2 health of the residents of this State; now, therefore,

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4 **BE IT RESOLVED** *by the General Assembly of the State of New*
5 *Jersey (the Senate concurring):*

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7 1. The Legislature opposes the reductions of vehicle carbon
8 dioxide emissions standards and fuel efficiency standards for model
9 years 2022 through 2025 proposed by the Environmental Protection
10 Agency and the National Highway Traffic Safety Administration.

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12 2. Copies of this resolution, as filed with the Secretary of the
13 State, shall be transmitted by the Clerk of the General Assembly or
14 the Secretary of the Senate to the President of the United States, the
15 acting Administrator of the Environmental Protection Agency, the
16 Deputy Administrator of the National Highway Traffic Safety
17 Administration, the Governor of the State of New Jersey, the
18 Commissioner of Environmental Protection, the Commissioner of
19 Transportation, the Attorney General, and every member of
20 Congress elected from the State of New Jersey.

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23 STATEMENT

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25 This concurrent resolution opposes the reductions of vehicle
26 carbon dioxide emissions standards and fuel efficiency standards
27 for model years 2022 through 2025 proposed by the United States
28 Environmental Protection Agency and the National Highway
29 Traffic Safety Administration.