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## **Trump's First Salvo in Push to Weaken Vehicle Standards Struck Down by Court** **By: Georgia Gustin**

A federal appeals court in New York on Monday blocked the Trump administration's efforts to delay penalties against automakers that fail to meet carbon-cutting emissions standards in new cars.

A three-judge panel of the United States Court of Appeals for the 2nd Circuit threw out a decision, announced by the Department of Transportation last July, to postpone increases in the penalties that automakers are required to pay if they don't meet efficiency standards under the Corporate Average Fuel Economy (CAFE) regulations.

The Trump administration's attempt to delay the penalties was its first salvo in a crusade to weaken the vehicle standards, which were predicted to prevent billions of tons of climate-warming carbon emissions from newer vehicles.

"The Trump administration's first step in its efforts to weaken vehicle efficiency standards has now failed," said Richard Ravesz, director of the Institute for Policy Integrity and a professor at New York University's School of Law. "Today's result is likely a predictor of analytical and legal weaknesses in the administration's broader effort to water down vehicle-efficiency rules."

In the final days of the Obama administration, the department increased the penalty by nearly 150 percent for exceeding the emissions standards—a hefty, inflation-matching bump intended to prod automakers to meet the standards for newer model years.

As the increased penalties were set to kick in, the Trump administration announced in July it was delaying the effective date. It said then that companies had paid more than \$890 million in CAFE penalties. Five states—New York, California, Maryland, Pennsylvania and Vermont—and environmental groups sued, saying the administration had failed to provide adequate public notice, as required by law, and violated another federal law requiring civil penalties to rise with inflation.

The judges on Monday did not issue an opinion with their ruling, so it wasn't immediately clear how they reached their decision.

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### **An Ongoing Effort to Weaken Auto Standards**

The decision comes as the administration attempts to further weaken the CAFE standards.

Earlier this month, the Environmental Protection Agency issued a "final determination" that it would revise the standards, saying the Obama administration's decision "didn't comport with reality."

Though it's unclear what any new standards might look like, the move puts the administration at odds with several states, notably California. Under a special waiver, California is allowed to maintain more stringent standards than those required by the federal government. The state—and others that typically follow its lead—has said it intends to maintain the existing standards.

### **Losing Effective Standards Would Raise Climate Risk**

Without effective standards, analysts say, the auto industry will likely backslide into making less efficient cars, with serious consequences for climate change.

The EPA projected that the original standards would prevent more than 6 billion metric tons of greenhouse gas emissions over the lifetime of cars sold in model years 2012 to 2025—more than one year of total U.S. carbon emissions.

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