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Trump Unveils His Plan to Weaken Car Pollution Rules

By: Coral Davenport

WASHINGTON — The Trump administration on Thursday formally announced its long-awaited proposal to dramatically weaken an Obama-era regulation on planet-warming vehicle tailpipe pollution.

The publication of the proposal sets up a race among opponents of the change — an unusual mix of environmentalists, automakers, consumer groups and states — to temper the plan before it is finalized this year.

The proposal would freeze rules requiring automakers to build cleaner, more fuel-efficient cars, including hybrids and electric vehicles, and unravel one of President Barack Obama’s signature policies to combat global warming. It would also challenge the right of states to set their own, more stringent tailpipe pollution standards, setting the stage for a legal clash that could ultimately split the nation’s auto market in two.

The Trump administration’s proposal, jointly published by the Environmental Protection Agency and the Transportation Department, would roll back a 2012 rule that required automakers to nearly double the fuel economy of passenger vehicles to an average of about 54 miles per gallon by 2025. That rule, which would have significantly cut the nation’s greenhouse gas emissions while saving billions of barrels of oil, was opposed by automakers who said it was overly burdensome.

The new proposal would freeze the increase of average fuel economy standards after 2021 at about 37 miles per gallon. It would also revoke a legal waiver, granted to California under the 1970 Clean Air Act and now followed by 13 other states, that allows those states to set more stringent tailpipe pollution standards than the ones followed by the federal government.

The Trump administration contends that, by promoting the manufacture and sale of lighter cars, the Obama standards could lead to nearly 13,000 more auto fatalities.

“It is now recognized that, as the stringency of standards increases, so does the likelihood that higher stringency will increase on-road fatalities,” wrote Trump administration officials in the draft of the proposal. “As it turns out, there is no such thing as a free lunch.” That conclusion is in direct opposition to the Obama administration’s analysis of the same rule, which found that improving fuel-economy standards would actually lead to about 100 fewer auto-related casualties.

This week’s publication of the proposed rule in the federal register opens up the next legal step in the Trump administration’s procession toward undoing the Obama rule. The Trump administration will ask the public to formally submit comments on the rule. It will then consider those comments and issue a final version of the rule, most likely this year.

It is widely expected that the proposal will meet with widespread criticism, even from the automakers that Mr. Trump has said he wants the plan to help. Critics of the plan — including manufacturers of cars and car parts, environmentalists, auto dealerships, consumer groups and at least a dozen states — are expected to spend the coming months urging the Trump administration to significantly change the proposal before issuing a final version.

While the chief executives of auto companies last year asked Mr. Trump to loosen the Obama-era rules, they have since asked him not to pull them as far back as he has sought to do in this week’s proposal. Since the proposal seeks to revoke states’ rights to set their own pollution standards, the states that do so, led by California, are expected to sue the administration. If that were to happen, the plan could end up tangled in litigation for years, leaving automakers caught in regulatory uncertainty.

Furthermore, if the Trump administration ultimately lost that legal battle, it could split the nation's auto market in two, with one set of emissions standards set forth by the federal government, while a group of major states including California enforced their separate, stricter rules. Automakers have called that a worst-case scenario.

The attorney general of California, Xavier Becerra, said his state was prepared to fight. "The Trump administration has launched a brazen and unlawful attack on our nation's clean car standards," Mr. Becerra said in a statement responding to the Trump proposal's formal announcement. We will use every legal tool at its disposal to fight back."

That's what worries the nation's automakers, who will now urge the Trump administration to go back to the table and find a way to strike a deal with California before issuing a final proposal.

"With today's release of the administration's proposals, it's time for substantive negotiations to begin," Gloria Bergquist, a spokeswoman for the Alliance of Automobile Manufacturers, said in a statement. "We urge California and the federal government to find a common sense solution that sets continued increases in vehicle efficiency standards while also meeting the needs of America's drivers."

Speaking to a Senate panel on Wednesday, Andrew Wheeler, the acting administrator of the E.P.A., said he would like to find a way to avoid a legal showdown with California. "It's my goal to come up with a 50-state solution that does not necessitate pre-empting California."

However, Mr. Wheeler's views have clashed with those of others in the administration, particularly in the White House and at the Transportation Department, who are said to be spoiling for a fight with California. Also urging the Trump administration to go back to the drawing board will be the nation's manufacturers of auto parts and components. Those companies say that by potentially throwing the regulatory status of vehicles into years of legal uncertainty, the Trump administration will freeze investment and innovation in the high-tech auto-parts sector.

"It's our hope now to prevent a dramatic weakening of the federal standard and further erosion of regulatory certainty, so we can continue to innovate and invest in the United States and cut harmful pollution in a timely fashion," said Chris Miller, executive director of the Advanced Engine Systems Institute, a trade association of companies that develop pollution-control technology.

Meanwhile, environmentalists will open a campaign to generate thousands of public comments opposing the rollback, in an effort to pressure the administration to change. Those public comments are expected to contend that the Trump administration's calculation that cleaner cars will lead to more highway deaths is faulty.

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