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## Editorial: Your mileage may vary on Trump's emissions rollback

**A plan to roll back vehicle standards is meant to help oil companies, not automakers or citizens.**

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By the Herald Editorial Board

The Trump administration, specifically the Environmental Protection Agency and the National Highway Traffic Safety Administration, announced its plans last week not only to roll back federal vehicle emission standards that the Obama administration negotiated a decade ago with automakers but to revoke the state of California's federalist right to set its own standards, which are also followed by the District of Columbia and 12 other states, including Washington state.

The reasoning: "The Trump Administration is revoking California's Federal Waiver on emissions in order to produce far less expensive cars for the consumer, while at the same time making the cars substantially SAFER," [President Trump tweeted](#) Wednesday.

Your mileage — and reality — may vary.

Lawsuits pending: It's hard to argue with claims set in capital letters, but California, and Washington state will try.

California and [Washington state officials have announced](#) their plans to file lawsuits to protect the more stringent standards as well as the rights of California and other states to determine how best to limit pollution, protect the health of their citizens and address climate change.

The federal standard set in 2009 [required automakers to reach](#) a fleet-wide average for cars and light-duty trucks of about 54 miles per gallon by 2025. The Trump administration now seeks to significantly ease that standard, freezing it at 37 mpg after 2020.

Automakers previously had asked for the Trump administration and California to ease the emissions standards but have since balked at the degree of rollback sought by the federal government. Instead, 17 automakers, including General Motors, Ford, BMW and Toyota, told the Trump administration that efficiency standards relaxed to that degree would actually hurt their bottom line and result in instability, the [Los Angeles Times reported](#) in June.

This summer, Ford, BMW, Honda and Volkswagen entered into their own talks with California officials and agreed to a fleet-wide average of 51 mpg by 2026. Other makers, including General Motors may join in the pact with California.

It makes sense for automakers to find agreement with California, because it and the other states that apply its standards account for about a third of the personal vehicles on U.S. roads and the market for new cars.

The Trump administration's reaction wasn't to respect the wishes of automakers but to threaten them with an antitrust investigation by the Department of Justice, which lawmakers, including [Sen. Maria Cantwell, D-Washington, wrote in a letter](#) to Attorney General William Barr, "appears to be nothing more than a politically motivated act of intimidation to discourage additional automakers from joining the agreement."

Two arguments: There are two fronts on which to fight the EPA's rollback and revocation of California's waiver.

The first questions whether California's waiver to the Federal Clean Air Act can be waived itself. The state's waiver first granted more than 50 years ago allows it to set its own standards provided they are at least as stringent as the federal government's.

The Clean Air Act does not provide for revocation of a waiver once granted, Julia Stein, an environmental attorney and project director with the UCLA School of Law, [wrote in a recent article](#) for the American Constitution Society.

The Clean Air Act also expressly allows states to make their own decisions on whether to adopt the federal standards or California's.

The second front regards the Trump administration's claims that California's and the Obama-era standards would make cars too expensive and force people to keep older vehicles with fewer safety features or would push them into smaller, lighter vehicles that were less safe. Or "SAFE," as the president would put it.

The administration isn't pretending this won't result in greater emissions of carbon and other greenhouse gases. That's not a bug, as the saying goes; that's a feature: Government figures estimated that relaxing the mileage standard would result in an additional 500,000 barrels of oil consumed in the U.S. *each day*, the [Los Angeles Times reported](#) in 2018 when the rule change was first proposed.

Such an increase would add significantly to the nation's greenhouse gas emissions and the rise in global temperatures.

But the EPA tried to justify the change by publicly claiming the lower standard would save 1,000 lives a year. This August, however, the [Associated Press obtained](#) internal agency emails in which EPA staffers told the Office of Management and Budget that the proposed change would actually slightly increase annual traffic deaths by 17.

That's [a conclusion upheld by researchers](#) in the journal Science that faulted the administration's cost-benefit analysis as cherry-picked data and flawed by mistakes and miscalculations. Instead, the assessment by university experts found that the standard's rollback would increase driving, gas consumption, air pollution and traffic fatalities.

Keeping the Obama-era standards, however, would cut carbon dioxide emissions by 6 billion tons and save 12 billion barrels of oil over the lifetime of vehicles complying with the standard, Dan Beck[er], director of the Safe Climate Campaign, [told the Washington Post](#) in 2018.

What's at stake: Transportation accounts for the largest percentage of the nation's greenhouse gas emissions; cars and light-duty trucks spew about 20 percent of that on their own.

Congress adopted the Clean Air Act in 1963 to set national benchmarks for pollution limits, and later — in recognition of what the automobile-centric culture of California was doing to its own air — allowed it to set its own standards, inviting other states to choose between the two.

Washington state has followed California's lead on vehicle emission standards since 2005, and this year looked at boosting that commitment to limit pollution and climate change by considering [legislation that would have adopted](#) California's Zero-Emissions Vehicle standard, mandating a certain percentage of sales of electric and other clean-running autos. The measure passed in the Senate, but did not advance in the House. Lawmakers expect to bring the bill back for consideration next year.

The Trump administration has again shown it has the interests of fossil fuel companies at heart; not those of automakers who recognize that it's in their best interests to adapt to changing market demand; and certainly not those of U.S. citizens who want fuel-efficient and zero-emission vehicles, clean air and a commitment to take climate change seriously.

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