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Biden’s EPA approves California climate rules including ban on new gas car sales in 2035

“Locking in strong clean car rules means easier breathing for millions of people in California and 17 other states, and it should survive whatever the next administration throws at it,” said Dan Becker, a director of clean transportation at the Center for Biological Diversity, in a written statement.

By Ari Plachta
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The Environmental Protection Agency (EPA) will allow California to enforce rules to end sales of new gasoline-powered vehicles in the state by 2035 and drastically reduce emissions from trucks, the agency announced Wednesday.

The EPA’s approval of two of eight waivers requested by the state to enforce climate regulations signals an attempt by outgoing President Joe Biden to cement his clean energy agenda. But the move is likely to face legal challenges from President-elect Donald Trump.

“California has longstanding authority to request waivers from EPA to protect its residents from dangerous air pollution coming from mobile sources like cars and trucks,” said EPA administrator Michael S. Regan. “Today’s actions follow through on EPA’s commitment to partner with states to reduce emissions and act on the threat of climate change.”

The EPA approved two out of eight climate regulation waivers requested by California.

Those include the Advanced Clean Cars II rule, adopted in 2022, which mandates California auto dealerships to progressively sell more zero-emission or plug-in hybrid vehicles, culminating in a 2035 ban on new gasoline-powered car sales starting in 2026.

The agency also approved the Heavy-Duty Omnibus rule, adopted in 2020, which sets cleaner engine standards and warranty requirements for new heavy-duty vehicles and is slated to take effect this year.

Under the Clean Air Act, California has the authority to request waivers from the EPA to establish more stringent vehicle emissions standards than those at the federal level. Over a dozen states have adopted California’s rules, together representing approximately 40% of the U.S. auto market.

The waiver program began in the 1950s, when California faced public health pressures to address severe air quality problems from vehicle emissions in Los Angeles. Over time, the state has used it to implement aggressive vehicle emission standards on other pollutants such as carbon dioxide.

California Gov. Gavin Newsom applauded the decision, saying it will bring residents closer to driving affordable electric or hybrid vehicles and improve public health by slashing harmful air pollution.

“Clean cars are here to stay,” Newsom said in a written statement. “Automakers have made it clear they stand with California and consumers as we move toward clean cars that save money. While critics like President-elect Trump side with the oil industry, California will continue driving innovation.”

California has submitted requests for six other waivers to enforce various climate policies, including measures targeting trains and commercial harbor vessels. It remains unclear if the EPA plans to address any waivers beyond the two approved Tuesday.

The proposed waiver has drawn praise and criticism alike. Environmental advocates highlight its potential to significantly reduce vehicle emissions, which make up the bulk of California’s greenhouse gas emissions.

“Locking in strong clean car rules means easier breathing for millions of people in California and 17 other states, and it should survive whatever the next administration throws at it,” said Dan Becker, a director of clean transportation at the Center for Biological Diversity, in a written statement.

“While Trump threatens to undo California’s waiver, he should’ve learned by now that he can only do what the law allows. And the Clean Air Act doesn’t allow him to revoke an anti-pollution waiver. So see you in court, Mr. Trump.”

Opponents, particularly Republican lawmakers, argue it limits consumer choice. Trump expressed disdain for California’s clean transportation rules and Biden’s electric vehicle initiatives.

“I will not allow California politicians to get away with their plan to impose a 100% ban on the sale of gas powered cars and trucks,” he said at a rally in Coachella ahead of the November election.

The conservative blueprint Project 2025, which Trump has sought to disavow, also has plans to cut expert staff from major agencies such as the EPA and replace them with political appointees.

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