

States, cities challenge Trump mileage standards rollback

28 May 2020

Nearly two dozen states and several cities on Wednesday filed a legal challenge to the Trump administration's rollback of Obama-era mileage standards, saying science backed up the old regulations developed with the help of the nation's car makers.

They asked the U.S. Court of Appeals for the District of Columbia Circuit to review the actions by the U.S. Environmental Protection Agency, the Department of Transportation Department and its National Highway Traffic Safety Administration that led to the Safer Affordable Fuel-Efficient (SAFE) Vehicles rule issued in March. A coalition of environmental groups also filed a similar petition with the court.

The new mileage standards require automakers to achieve 1.5% annual increases in fuel efficiency. The Obama-era standards called for 5% annual increases and were seen as the government's most forceful initiative against climate-changing fossil fuel emissions.

The EPA does not comment on pending litigation but spokesperson Corry Schiermeyer said it provides a "sensible, single national program that strikes the right regulatory balance, protects our environment, and sets reasonable targets for the [auto industry](#), while supporting our economy and the safety of American families."

However, California Attorney General Xavier Becerra said internal EPA documents show that the administration ignored warnings from its experts that the rule had serious flaws and the states and cities would seek the release of such documents to prove their case.

The states and cities claim the rule violates the Clean Air Act, the Energy Policy and Conservation Act and the Administrative Procedure Act.

The challenge is about making sure the

government is upholding the rule of law and acting based on facts and science, Colorado Attorney General Phil Weiser said.

"Playing games with the facts is a short game. The courts are playing a long game," he said.

The rollback was based mainly on the premise that car prices would drop an average of \$1,000 because automakers would spend less on fuel-efficiency technology but industry analysts have said that savings does not mean much when the price of an average new car is nearly \$40,000.

The administration also said less expensive cars would also save lives by encouraging people to buy newer, safer vehicles. However, experts say many of the vehicles that will be traded in will only be 4 and 5 years old with good safety features. Opponents claim dirtier air from the rollback will kill and injure more people than the rollback claims to save in roadway accidents.

The other states who joined in the challenge are Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, Wisconsin, and the District of Columbia along with the California Air Resources Board and the cities of Los Angeles, New York, San Francisco, and Denver.

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