

Freeze sought on fuel rules

Agencies may revoke stricter state standards

By David R. Baker

The Trump administration reportedly may freeze fuel-mileage standards for cars and end California's ability to set its own auto-emissions rules, potentially gutting one of the country's most important climate change regulations and setting up a major legal battle with the state.

Although President Trump has long talked about easing fuel economy standards, a set of reported proposals from the National Highway Traffic Safety Administration and the federal Environmental Protection Agency would go further than previously discussed.

As initially reported Friday by the Los Angeles Times and confirmed by other news outlets, officials are considering a freeze of fuel mileage standards in 2020 for both cars and light trucks. Regulations adopted under President Barack Obama and modeled after California standards require automakers to increase the average fuel economy of their fleets to more than 50 miles per gallon by 2025.

In addition, the administration may try to sidestep or override California's authority to set its own air pollution standards, which the state has extended to greenhouse gases produced by cars. EPA Administrator Scott Pruitt, testifying before Congress Thursday, said the administration had no plans to do so "at present."

EPA officials did not respond to questions from The Chronicle about the proposal. The National Highway Traffic Safety Administration could not immediately be reached for comment.

California has, since 1970, held a waiver under the federal Clean Air Act, allowing it to enact more-stringent pollution rules. A 2002 California law to cut greenhouse gases from automobiles by improving fuel efficiency led to a years-long legal fight among the state, automakers and the George W. Bush administration, which argued that the federal government alone had the right to set fuel standards.

California eventually prevailed, and Obama, in one of his first major steps to fight global warming, took the state's standards nationwide in 2009.

California officials on Friday promised a fight if the administration tries to revoke or sidestep the waiver. State officials have already said they plan to stick with the mileage increases now in place, raising the specter of having two standards for the auto industry to meet.

"The Trump administration is trying to kill the efforts made nationally and in California to clean up our air," Sen. Dianne Feinstein, D-Calif., said in an email. "This is going to have a real impact both on global warming and the air we breathe. It's one bad move."

State Attorney General Xavier Becerra, who has challenged a number of Trump's policies, echoed her sentiments.

“We’ll closely monitor any developments, and I’m ready to take any and all action necessary to defend our progress,” he said in an email.

Automakers had asked Trump, shortly after his election, to revisit mileage regulations for 2022 through 2025, when the standards are set to rise rapidly. Sluggish sales of electric cars and Americans’ enduring fondness for trucks and sport utility vehicles, they argued, would make the 50 mpg requirement hard to meet. (Such figures do not reflect various loopholes and credits, so actual mileage requirements are generally much lower than advertised.)

The car companies did not, however, call for revoking California’s waiver, and the federal proposals reportedly under discussion appear to go significantly further than they requested.

“The automakers have opened Pandora’s box,” said Simon Mui, a clean-vehicle advocate with the Natural Resources Defense Council who has discussed the issue with auto industry representatives. “This is going to disrupt their industry, their product plans. The genie’s out of the bottle, and now they have to try to stuff it back in.”

A representative for the Alliance of Automobile Manufacturers could not be reached for comment Friday. But some automakers, including Ford and Honda, have already argued against drastic changes to fuel mileage standards.

“We support increasing clean car standards through 2025 and are not asking for a rollback,” wrote Bill Ford, Ford’s executive chairman, and Jim Hackett, the company’s CEO, in a March 27 post on the website Medium. “We want one set of standards nationally, along with additional flexibility to help us provide more affordable options for our customers. We believe that working together with EPA, (the highway safety agency) and California, we can deliver on this standard.”

Car companies operate on long product planning cycles. So the moves reportedly under consideration, which would freeze the fleet-average fuel economy requirement at about 40 mpg, would probably have little effect on their plans for the next few years. Many major automakers have already announced that they will dramatically scale up the availability of emissions-free electric cars.

But a possible challenge to California’s waiver could return the industry, and its state and federal regulators, to a period of uncertainty.

“If enacted, this would harm people’s health, boost greenhouse gas pollution and force drivers to pay more money at the pump for years,” Stanley Young, spokesman for the California Air Resources Board, which oversees most of the state’s programs to fight climate change, said in an email. “It would also severely disrupt the U.S. auto industry, compromising its ability to succeed in a highly competitive global market that increasingly values innovative and efficient technologies.”

Chronicle staff writer

Kurtis Alexander contributed to this report.

David R. Baker is a San Francisco Chronicle staff writer. Email: dbaker@sfchronicle.com Twitter: @DavidBakerSF

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