

# Biden restores California's power to set car emissions rules

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In this May 25, 2017, file photo, Interstate 405, the San Diego Freeway, is seen next to Los Angeles International Airport. The Biden administration is restoring California's authority to set its own tailpipe pollution standards for cars, reversing a Trump administration policy and likely ushering in stricter emissions standards for new passenger vehicles nationwide. Credit: AP Photo/Reed Saxon, File

The Biden administration is restoring California's authority to set its own tailpipe pollution standards for cars, reversing a Trump administration policy and likely ushering in stricter emissions standards for new passenger vehicles nationwide.

A waiver approved Wednesday by the Environmental Protection Agency allows California to set tough emissions rules for cars and SUVs and impose mandates for so-called zero-emission vehicles that do not contribute to global warming.

At least 15 states and the District of Columbia have signed on to California's vehicle standards, which are stricter than federal rules and designed to address the state's severe air pollution problems. According to the American Lung Association, seven of the 10 U.S. cities with worst ozone pollution are in California, along with six of the 10 most polluted cities measured by year-round particle pollution.

Former President Donald Trump's 2019 decision to revoke California's authority to set its own limits on auto emissions was one of his most high-profile actions to roll back environmental rules he considered overly burdensome on businesses. Regulation of vehicle emissions is central to combating climate change.

President Joe Biden has made slowing climate change a top priority of his administration and has pledged to cut greenhouse gas emissions in half by 2030. Transportation is the single largest source of planet-warming greenhouse gas emissions in the United States, making up 29% of all emissions. Within the transportation sector, passenger cars and trucks are the largest contributor, accounting for 58% of all transportation-related emissions and 17% of overall U.S. carbon emissions.

"Today we proudly reaffirm California's longstanding authority to lead

in addressing pollution from cars and trucks," said EPA Administrator Michael Regan. "With today's action, we reinstate an approach that for years has helped advance clean technologies and cut air pollution for people not just in California, but for the U.S. as a whole."

The waiver reinstates California's authority to regulate greenhouse gas emissions under the federal Clean Air Act for model years 2017 through 2025, effective immediately. The California Air Resources Board will determine how to implement and enforce the standards.

The waiver also withdraws a Trump-era regulation that blocked other states from adopting California's standards. Collectively they represent 36% of the U.S. auto market.

Officials in California, New York and other states have been seeking reinstatement of the waiver, saying California's strict standards have improved air quality in the state and ensured that Los Angeles and other cities are no longer shrouded by smog.

California Gov. Gavin Newsom thanked the Biden administration "for righting the reckless wrongs of the Trump administration and recognizing our decades-old authority to protect Californians and our planet."

The EPA's action "is a major victory for the environment, our economy and the health of families across the country" and comes at a pivotal moment to address climate change, said Newsom, a Democrat. "California looks forward to partnering with the Biden administration to make a zero-emission future a reality for all Americans."

Harold Wimmer, the lung association's president and CEO, called climate change a health emergency. From degraded air quality due to wildfire smoke to increased ground-level ozone, or smog from carbon



pollution, "climate change is harming the health of people across the country," he said.



EPA Administrator Michael Regan, with Vice President Kamala Harris, speaks at the Eisenhower Executive Office Building on the White House complex, in Washington, Monday, March 7, 2022. Credit: AP Photo/Manuel Balce Ceneta

The new bipartisan infrastructure law includes [\\$7.5 billion for a network of new charging stations](#) for electric cars and trucks. Fully electric vehicles, or EVs, represent just 3% of new vehicle sales in the U.S., but analysts expect that to rise rapidly in coming years. Major automakers, including General Motors and Ford, are pledging billions to develop EVs and GM has gone so far as to announce a goal of ending gasoline-fueled

passenger vehicles entirely by 2035.

Biden's sweeping environmental and social policy bill—stalled for months in the Senate—includes a \$7,500 tax credit to buyers to lower the cost of electric vehicles, along with more money for EV chargers.

The EPA in December raised vehicle mileage standards to significantly reduce greenhouse gas emissions, reversing a Trump-era rollback that loosened fuel efficiency standards.

The EPA rule raises mileage standards starting in the 2023 model year, reaching a projected industry-wide target of 40 miles per gallon by 2026. The new standard is 25% higher than a rule finalized by the Trump administration and 5% higher than an earlier proposal by the Biden EPA.

While hailing the waiver reinstatement, environmental and public health groups said it is now up to Newsom to impose strict rules on emissions from cars and SUVs.

"Now that he's got the keys back, Gov. Newsom needs to steer California to the strongest possible clean car standard and reclaim the state's climate leadership," said Scott Hochberg, an attorney at the Center for Biological Diversity.

Besides New York, other states that follow California's rule include Colorado, Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, Oregon, Pennsylvania, Rhode Island, Vermont and Washington. Several other states are moving to adopt the California standard.

Trump's move to revoke the state waivers split the industry, with most automakers behind him while Ford, Honda, BMW, Volkswagen and Volvo decided to go with California standards. After Biden was

inaugurated, General Motors and other automakers came out in favor of California setting its own standards.

In a statement Wednesday, Ford took a shot at GM's apparent change of heart in supporting reinstatement of the California waiver.

"It was the right thing to do for people and the planet before the last election, it's the right thing to do now and we're committed to continuing to do the right thing going forward as we lead the electric vehicle revolution," said Bob Holycross, a Ford vice president.

Reinstatement of the waiver comes as the Biden administration proposed stronger pollution regulations for new tractor-trailer rigs that would clean up smoky diesel engines and encourage new technologies during the next two decades. A proposal released Monday by the EPA would require the industry to cut smog-and-soot-forming nitrogen oxide emissions by up to 90% per truck over current standards by 2031. The emissions can cause respiratory problems in humans.

New rules would start in 2027 to limit the emissions from nearly 27 million heavy trucks and buses nationwide.

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