

110TH CONGRESS
1ST SESSION

H. R. 3059

To increase the corporate average fuel economy standards for automobiles,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 17, 2007

Mr. BARTON of Texas (for himself, Mr. HASTERT, Mr. BLUNT, Mr. PUTNAM, Mr. STEARNS, Mr. DEAL of Georgia, Mrs. CUBIN, Mr. SHADEGG, Mr. BUYER, Mr. RADANOVICH, Mr. WALDEN of Oregon, Mr. SULLIVAN, Mr. BURGESS, Mr. GILLMOR, Mr. SESSIONS, Mr. WHITFIELD, Mr. PITTS, Mrs. BLACKBURN, Mr. SHIMKUS, Mr. HALL of Texas, Mr. SMITH of Texas, Mr. CONAWAY, Mr. GOHMERT, and Mr. MCCAUL of Texas) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To increase the corporate average fuel economy standards
for automobiles, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. INCREASED AVERAGE FUEL ECONOMY STAND-**

4 **ARDS.**

5 (a) INCREASED STANDARD.—Section 32902 of title
6 49, United States Code, is amended—

7 (1) in subsection (a)—

1 (A) by striking “At least” and inserting
2 “(1) At least”;

3 (B) by striking “automobiles (except pas-
4 senger automobiles)” and inserting “non-pas-
5 senger automobiles”;

6 (C) by striking “classes of automobiles”
7 and inserting “classes of non-passenger auto-
8 mobiles based on vehicle attributes related to
9 fuel economy”; and

10 (D) by adding at the end the following:

11 “(2) In prescribing average fuel economy standards
12 under this section, the Secretary shall ensure that the av-
13 erage fuel economy standard for non-passenger auto-
14 mobiles manufactured by a manufacturer for model year
15 2022 and subsequent model years shall be not less than
16 27.5 miles per gallon.”;

17 (2) by amending subsection (b) to read as fol-
18 lows:

19 “(b) PASSENGER AUTOMOBILES.—(1) At least 18
20 months before the beginning of each model year, the Sec-
21 retary shall prescribe by regulation average fuel economy
22 standards for passenger automobiles manufactured by a
23 manufacturer in that model year. Each standard shall be
24 the maximum feasible average fuel economy level that the
25 Secretary decides the manufacturers can achieve in that

1 model year. The Secretary may prescribe separate stand-
2 ards for different classes of passenger automobiles based
3 on vehicle attributes related to fuel economy.

4 “(2) In prescribing average fuel economy standards
5 under this section, the Secretary shall ensure that the av-
6 erage fuel economy standard for passenger automobiles
7 manufactured by a manufacturer for model year 2022 and
8 subsequent model years shall be not less than 35 miles
9 per gallon.”; and

10 (3) by amending subsection (c) to read as fol-
11 lows:

12 “(c) ALTERNATIVE MINIMUM STANDARD FOR PAS-
13 Senger Automobiles.—(1) Notwithstanding any other
14 provision of this section, for any model year in which the
15 Secretary prescribes average fuel economy standards for
16 passenger automobiles on the basis of vehicle attributes,
17 the average fuel economy standard for passenger auto-
18 mobiles manufactured by a manufacturer in that model
19 year shall also provide for an alternative minimum stand-
20 ard that shall apply only to a manufacturer’s domestically
21 manufactured passenger automobiles.

22 “(2) The alternative minimum standard referred to
23 in paragraph (1) shall be the greater of—

24 “(A) 27.5 miles per gallon; or

1 “(B) 92 percent of the average fuel economy
2 projected by the Secretary for the combined domes-
3 tic and foreign fleets manufactured for sale in the
4 United States by all manufacturers in that model
5 year, which projection shall be published in the Fed-
6 eral Register when the standard for that model year
7 is promulgated in accordance with this section.

8 “(3) The alternative minimum standard under this
9 subsection shall apply to a manufacturer’s domestically
10 manufactured passenger automobiles only if the average
11 fuel economy standard established for passenger auto-
12 mobiles on the basis of vehicle attributes pursuant to this
13 section, excluding any credits transferred by the manufac-
14 turer pursuant to section 32903(g) from other categories
15 of automobiles described in such section, would allow that
16 manufacturer to comply with a less stringent average fuel
17 economy standard than the alternative minimum stand-
18 ard.

19 “(4) If the Secretary prescribes standards for pas-
20 senger automobiles on the basis of vehicle attributes, the
21 Secretary shall provide a transition period during the first
22 3 model years in which an attribute-based standard would
23 apply during which each manufacturer may elect whether
24 to comply with the attribute-based standard or with the

1 single corporate average fuel economy level prescribed
2 under subsection (b).”.

3 (b) EFFECTIVE DATE AND TRANSITION FROM EX-
4 ISTING STANDARDS.—

5 (1) IN GENERAL.—Except as provided in para-
6 graph (2), the amendments made by this section
7 shall take effect on the date of the enactment of this
8 Act.

9 (2) TRANSITION FOR PASSENGER AUTO-
10 MOBILES.—The standard or standards for passenger
11 automobiles under the authority of section 32902(b)
12 of title 49, United States Code, in effect on the day
13 before the date of the enactment of this Act, shall
14 remain in effect until a standard for passenger auto-
15 mobiles is prescribed pursuant to such section, as
16 amended by this section.

17 (c) TECHNICAL AND CONFORMING AMENDMENTS.—
18 Chapter 329 of title 49, United States Code, is amended—

19 (1) in section 32901(a)—

20 (A) by redesignating paragraph (16) as
21 paragraph (17); and

22 (B) by inserting after paragraph (15) the
23 following:

24 “(16) ‘non-passenger automobile’ means an
25 automobile that is not a passenger automobile; and”;

1 (2) in section 32902—

2 (A) in subsection (g)—

3 (i) in paragraph (1), by striking “sub-
4 section (a) or (d)” both places it appears
5 and inserting “subsection (a), (b), (c), or
6 (d)”; and

7 (ii) in paragraph (2), by striking
8 “(and submit the amendment to Congress
9 when required under subsection (c)(2) of
10 this section)”;

11 (B) in subsection (h), by striking “sub-
12 sections (c),” and inserting “subsections (b),
13 (c)”; and

14 (C) in subsection (j), by striking “sub-
15 section (a),” and inserting “subsection (a),
16 (b),”;

17 (3) in section 32903—

18 (A) by striking “section 32902(b)–(d) of
19 this title” each place it appears and inserting
20 “subsection (a) through (d) of section 32902”;

21 (B) in subsection (a)(2), by striking
22 “clause (1) of this subsection” and inserting
23 “paragraph (1)”; and

1 (C) in subsection (e), by striking “auto-
2 mobiles that are not passenger automobiles”
3 and inserting “non-passenger automobiles”; and
4 (4) in section 32909(b), by striking “, except
5 that a petition for review” and all that follows
6 through “referred to in section 32902(c)(2)”.

7 **SEC. 2. CREDIT TRANSFERRING WITHIN A MANUFACTUR-**
8 **ER’S FLEET.**

9 Section 32903 of title 49, United States Code, is
10 amended by adding at the end the following:

11 “(g) CREDIT TRANSFERRING WITHIN A MANUFAC-
12 TURER’S FLEET.—(1) The Secretary of Transportation
13 shall establish by regulation a corporate average fuel econ-
14 omy credit transferring program to allow any manufac-
15 turer whose automobiles exceed any of the average fuel
16 economy standards prescribed under section 32902 to
17 transfer the credits earned under this section and to apply
18 such credits within that manufacturer’s fleet to a compli-
19 ance category of automobiles that fails to achieve the pre-
20 scribed standards.

21 “(2) Credits transferred under this subsection are
22 available to be used in the same model years that the man-
23 ufacturer could have applied such credits under sub-
24 sections (a), (b), (d), and (e), as well as for the model
25 year in which the manufacturer earned such credits. The

1 maximum increase in any compliance category attributable
2 to transferred credits is 1.0 mile per gallon in any single
3 model year.

4 “(3) In the case of transfers of credits to the category
5 of automobiles described in paragraph (5)(B)(i), the
6 transfer is limited to the extent that the fuel economy level
7 of the manufacturer’s fleet of passenger automobiles man-
8 ufactured domestically shall comply with the provisions es-
9 tablished under section 32902(c), excluding any transfers
10 from other categories of automobiles described in para-
11 graph (5)(B).

12 “(4) A credit transferred in conformance with this
13 subsection may only be so transferred if such credit is
14 earned in model year 2010 or any subsequent model year.

15 “(5) As used in this subsection—

16 “(A) the term ‘fleet’ means all automobiles
17 manufactured by a manufacturer in a particular
18 model year; and

19 “(B) the term ‘compliance category of auto-
20 mobiles’ means any of the 3 categories of auto-
21 mobiles for which compliance is separately calculated
22 under this chapter, namely—

23 “(i) passenger automobiles manufactured
24 domestically;

1 “(ii) passenger automobiles not manufac-
2 tured domestically; and

3 “(iii) non-passenger automobiles.”.

4 **SEC. 3. FUEL CONSERVATION EDUCATION PROGRAM.**

5 (a) PARTNERSHIP.—The Secretary of Transportation
6 shall enter into a partnership with interested industry
7 groups, including groups from the automotive, gasoline re-
8 fining, and oil industries, and groups representing the
9 public interest and consumers to establish a public edu-
10 cation campaign that provides information to United
11 States drivers about immediate measures that may be
12 taken to conserve transportation fuel.

13 (b) ACCESSIBILITY.—The public information cam-
14 paign under this section shall be targeted to reach the
15 widest audience possible. The education campaign may in-
16 clude television, print, Internet website, or any other
17 method designed to maximize the dissemination of trans-
18 portation fuel savings information to drivers.

19 (c) COST SHARING.—The Secretary shall provide no
20 more than 50 percent of the cost of the campaign created
21 under this section. The Secretary is authorized to accept
22 private funds to augment funds made available under this
23 subsection.

24 (d) AUTHORIZATION OF APPROPRIATIONS.—There
25 are authorized to be appropriated to the Secretary of

- 1 Transportation such sums as may be necessary to carry
- 2 out this section.

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