

118TH CONGRESS  
1ST SESSION

# H. R. 1435

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 18, 2023

Received; read twice and referred to the Committee on Environment and  
Public Works

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## AN ACT

To amend the Clean Air Act to prevent the elimination  
of the sale of internal combustion engines.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Preserving Choice in  
3 Vehicle Purchases Act”.

4 **SEC. 2. STATE STANDARDS.**

5 (a) AMENDMENTS.—Section 209(b) of the Clean Air  
6 Act (42 U.S.C. 7543(b)) is amended—

7 (1) in paragraph (1)—

8 (A) in subparagraph (B), by striking the  
9 “or” at the end;

10 (B) in subparagraph (C), by striking  
11 “part.” and inserting “part, or”; and

12 (C) by adding at the end the following:

13 “(D) such State standards directly or indirectly  
14 limit the sale or use of new motor vehicles with in-  
15 ternal combustion engines, as such term is defined  
16 in section 63.9375 of title 40, Code of Federal Reg-  
17 ulations, as in effect January 1, 2023.”; and

18 (2) by adding at the end the following:

19 “(4) The Administrator may not determine that any  
20 State standards amended after the date of enactment of  
21 this paragraph are within the scope of a waiver granted  
22 under paragraph (1) before the date of enactment of this  
23 paragraph.”.

24 (b) EFFECT ON CERTAIN EXISTING WAIVERS.—The  
25 Administrator of the Environmental Protection Agency  
26 shall revoke a waiver granted under section 209(b) of the

1 Clean Air Act (42 U.S.C. 7543(b)) during the period that  
2 begins on January 1, 2022, and ends on the date of enact-  
3 ment of this Act if the Administrator finds that such waiv-  
4 er does not comply with subparagraph (D) of section  
5 209(b)(1) of the Clean Air Act (42 U.S.C. 7543(b)(1)),  
6 as added by this Act.

Passed the House of Representatives September 14,  
2023.

Attest:                      KEVIN F. MCCUMBER,  
*Clerk.*