



National Conference of State Legislatures

OFFICIAL ACTION POLICY

POLICY: STATES RIGHTS TO ADOPT AUTO EMISSIONS STANDARDS

COMMITTEE: AGRICULTURE, ENVIRONMENT AND ENERGY

The National Conference of State Legislatures (NCSL) fully supports the right of California, pursuant to the Clean Air Act, to adopt emissions standards for cars and trucks which are stricter than Federal emission standards and for other states which have non-attainment areas to adopt identical standards.

In 2002, California enacted legislation requiring the state to include greenhouse gas emissions standards for car and trucks beginning with model year 2009. In 2005, the state developed standards and on December 21, 2005 California requested a waiver from the federal Environmental Protection Agency (EPA) as required by federal law in order to implement the standards.

Unless EPA finds that compelling and extraordinary conditions do not merit such stricter standards a waiver is mandatory. NCSL urges the EPA to act immediately to grant California the waiver.

In addition to a state's authority to address greenhouse gas emissions standards, state, local, and tribal leaders have advanced a diverse portfolio of policies that address climate change and greenhouse gas emissions while respecting regional diversity and accounting for the costs and benefits of actions. A convergence of policy issues has contributed to a significant increase in attention paid to climate change and associated agricultural, environmental, energy and security issues at all levels of government.

NCSL believes that federal action that would reduce greenhouse gas emissions and establish climate

change policy should be flexible, allowing for complementary strategies at the state and federal level that ensure a strong role for state, local and tribal government. Federal legislation should not preempt state or local governments from enacting policy options that differ from federal choices or from enacting stricter or stronger measures.

For further information, please contact Tamra Spielvogel, Committee Director, Agriculture Environment and Energy Committee, in NCSL's Washington Office at (202) 624-5400.