

CLF News

For Immediate Release

Please Contact: Melissa Hoffer, 603-225-3060

Steve Hinchman, 207-729-7733 x13

Cynthia Giles (CLF/RI), 401-351-1102

GM AND CHRYSLER LOSE THIRD STRAIGHT LAWSUIT AGAINST STATE EMISSIONS REGULATIONS

Rhode Island US District Court Calls Automakers Out on Strikes

Providence, RI (November 25, 2008) The US Federal District Court for Rhode Island today dismissed a legal challenge from General Motors, Chrysler and two automobile manufacturer trade associations seeking to block state regulations requiring cleaner tailpipe emissions from new motor vehicles.

The car manufacturers had previously lost two identical lawsuits in federal district courts in Vermont and California. Rhode Island District Court Judge Ernest C. Torres concluded that allowing Detroit to bring successive lawsuits was “costly and vexatious” and a “waste of judicial resources.”

[I]t is difficult to see what interest the public has in permitting the plaintiffs another bite at the apple in challenging regulations limiting the emission of greenhouse gases into the atmosphere,” Judge Torres wrote in the decision. Attorneys for four environmental groups that had intervened in the litigation hailed the decision as a win not just for the states and the environment, but also for the industry itself.

“Neither Detroit nor the American people can afford any further wasteful litigation, especially in this case where the new state regulations are designed to force the American car makers to start building cleaner and more efficient vehicles,” said Melissa Hoffer, Vice President at the Conservation Law Foundation, which represented the intervening groups. “It is time for the automakers to innovate for cleaner cars, not litigate.”

“If the car makers want to convince Congress and the American people they are serious about change and worthy of federal support, dropping their litigation against the states would be a good place to start,” added Cynthia Giles, director of CLF’s Rhode Island office.

Aside from the Rhode Island litigation, similar lawsuits are pending in both the Second and the Ninth Circuit Courts of Appeals and in the federal district court of New Mexico. All four cases involve challenges by automobile manufacturers and dealers that seek to block states from adopting California’s emission standards for new cars and trucks. The California standards would require the automakers to build cars that are up to 30 percent cleaner and more efficient than current models.

“Detroit’s love affair with big SUVs and Pickups hasn’t just been an economic catastrophe – it’s also a disaster in terms of energy and climate pollution,” added CLF attorney Steve Hinchman. “Congress should demand that the automakers back up their recent promises by ending the litigation and accepting regulations aimed at reducing climate pollution.”

To read the Court's order, click [here](#).

To download legal documents and additional background information visit CLF’s clean cars case page at; <http://www.clf.org/programs/cases.asp?id=650>

###

The Conservation Law Foundation (www.clf.org) works to solve the environmental problems that threaten the people, natural resources and communities of New England. CLF's advocates use law, economics and science to design and implement strategies that conserve natural resources, protect public health, and promote vital communities in our region. Founded in 1966, CLF is a nonprofit, member-supported organization. It has offices in Boston, Massachusetts; Concord, New Hampshire; Providence, Rhode Island; Montpelier, Vermont; and Brunswick, Maine.