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Victory for California Clean Car Law
Sierra Club Calls on EPA to stop delay on waiver

Fresno, CA: In a significant victory in the fight to reduce global warming pollution, today the Federal District Court in Fresno dismissed the auto industry's claims that federal law barred California from enforcing its own motor vehicle greenhouse gas regulations. In a 57-page decision, Judge Anthony Ishii held that these regulations did not in any way conflict with either federal fuel economy laws or with the President's power to conduct foreign policy. Emphasizing that the Clean Air Act expressly authorizes California to regulate emissions that affect human health and the environment, Judge Ishii found that Congress did not intend that this authority be curtailed by federal fuel economy laws.

Statement of David Bookbinder, Sierra Club Chief Climate Counsel

"Once again a judge has found the auto industry's desperate attempts to stay mired in outdated, dirty technology completely without merit. Today's decision is just one more reason why EPA should stop dragging its feet and grant the waiver California needs to move forward with this vital tool to combat global warming.

"Just as we said earlier this year when we celebrated a similar victory in a Vermont court, instead of the automakers thinking of excuses, it's time for them to put their immense know-how toward solving some of our most pressing problems. This ruling should compel the U.S. automakers to make the kind of clean, efficient cars Americans want--the kind that foreign automakers have used to surge to record profits as the U.S. auto industry buckled under the weight of its gas guzzlers. This ruling is good for the environment, good for America, and, ultimately, good for the automakers.

"It's now time for the Bush Administration's EPA to get out of the way and grant California the waiver it and other states need in order to move forward with these landmark protections."

Assembly Bill 1493, sometimes known as the Pavely Law after its lead sponsor, Assemblywoman Fran Pavely, would require automobile makers to reduce global warming emissions from new cars and light trucks beginning in 2009. The Pavely Law is a large step in the right direction because it delivers clean car choices for consumers, and encourages cost-effective, currently available technology to reduce global warming emissions. In 2005, the Alliance of Automobile Manufacturers desperately sued the California Air Resources Board in an attempt to block the law.

The Pavely Law has widespread support from Californians, a majority of the California legislature, and Governor Arnold Schwarzenegger. Twelve other U.S. states and Canada are in various stages of adopting

California's global warming law. The last step to implement in the law is for a Clean Air Act waiver to be granted to the state. For two years the EPA has refused to make a decision on granting the waiver.

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