

117TH CONGRESS
2D SESSION

H. R. 8773

To amend the Clean Air Act to repeal the waiver authority allowing California to enforce certain standards relating to federally regulated motor vehicle emissions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 6, 2022

Mr. LAMALFA (for himself, Mr. BOST, and Mr. ELLZEY) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Clean Air Act to repeal the waiver authority allowing California to enforce certain standards relating to federally regulated motor vehicle emissions, 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. SHORT TITLE.**

4 This Act may be cited as the “Revoking Engine and
5 Vehicle Requirements Act of 2022”.

1 **SEC. 2. REPEAL OF WAIVER AUTHORITY ALLOWING CALI-**
2 **FORNIA TO ENFORCE CERTAIN STANDARDS**
3 **RELATING TO FEDERALLY REGULATED**
4 **MOTOR VEHICLE EMISSIONS.**

5 (a) NEW MOTOR VEHICLES OR NEW MOTOR VEHI-
6 CLE ENGINES.—

7 (1) REPEAL.—Section 209(b) of the Clean Air
8 Act (42 U.S.C. 7543(b)) is hereby repealed.

9 (2) CONFORMING CHANGES.—

10 (A) Section 202(i)(2)(A) of the Clean Air
11 Act (42 U.S.C. 7521(i)(2)(A)) is amended by
12 striking “, taking into consideration the waiver
13 provisions of section 209(b)”.

14 (B) Section 209(c) of the Clean Air Act
15 (42 U.S.C. 7543(c)) is amended by striking
16 “The preceding sentence shall not apply in the
17 case of a State with respect to which a waiver
18 is in effect under subsection (b).”.

19 (C) Section 211 of the Clean Air Act (42
20 U.S.C. 7545) is amended—

21 (i) in subsection (c)(4), by striking
22 subparagraph (B);

23 (ii) in subsection (k)(1)(B)(ii), by
24 striking “(other than a refiner or importer
25 in a State that has received a waiver under

1 section 209(b) with respect to gasoline pro-
2 duced for use in that State”); and

3 (iii) in subsection (o)(6), by striking
4 subparagraphs (E) and (F).

5 (D) Section 243 of the Clean Air Act (42
6 U.S.C. 7583) is amended by striking sub-
7 sections (e), (f), and (g).

8 (E) Section 244 of the Clean Air Act (42
9 U.S.C. 7584) is amended—

10 (i) by striking the comma at the end
11 of paragraph (2) and inserting a period;
12 and

13 (ii) by striking “unless the Adminis-
14 trator determines (in promulgating the
15 rules establishing the clean fuel vehicle
16 program under this section) that any such
17 administration and enforcement would not
18 meet the criteria for a waiver under section
19 209.”.

20 (b) NONROAD ENGINES OR VEHICLES.—

21 (1) REPEALS.—Section 209(e) of the Clean Air
22 Act (42 U.S.C. 7543(e)) is amended—

23 (A) in paragraph (1), by striking “from ei-
24 ther of the following new nonroad engines or
25 nonroad vehicles subject to regulation under

1 this Act” and all that follows through the end
2 of paragraph (1) and inserting “from nonroad
3 engines or nonroad vehicles subject to regula-
4 tion under this chapter.”; and

5 (B) by repealing paragraph (2).

6 (2) CONFORMING CHANGE.—Subsection (e) of
7 section 209 of the Clean Air Act (42 U.S.C. 7543),
8 as amended, is further amended by striking the con-
9 tinuation text at the end of the subsection and in-
10 serting at the end of subsection the following:

11 “(2) REGULATIONS.—The Administrator shall
12 issue regulations to implement this subsection.”.

13 (c) ADMINISTRATIVE ACTION.—Not later than the ef-
14 fective date specified in subsection (d), the Administrator
15 of the Environmental Protection shall terminate any waiv-
16 er or authorization granted under a provision stricken or
17 repealed by subsection (a)(1) or (b)(1).

18 (d) DELAYED EFFECTIVE DATE.—The amendments
19 made by subsections (a) and (b) shall take effect on the
20 date that is 30 days after the date of enactment of this
21 Act.

○