

117TH CONGRESS
2D SESSION

H. R. 8771

To amend title 23, United States Code, to withhold Federal highway funding from a State that prohibits the sale of motor vehicles that are not a zero-emission vehicles, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 6, 2022

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

A BILL

To amend title 23, United States Code, to withhold Federal highway funding from a State that prohibits the sale of motor vehicles that are not a zero-emission vehicles, 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 “Options for Ownership
5 Act”.

1 **SEC. 2. ZERO-EMISSION VEHICLES.**

2 (a) IN GENERAL.—Chapter 1 of title 23, United
3 States Code, is amended by adding at the end the fol-
4 lowing:

5 **“§ 177. Zero-emission vehicles**

6 “(a) WITHHOLDING OF FUNDS FOR NONCOMPLI-
7 ANCE.—

8 “(1) IN GENERAL.—The Secretary shall with-
9 hold 15 percent of the amount required to be appor-
10 tioned to any State under section 104 on the first
11 day of each fiscal year in which the sale of a motor
12 vehicle in such State that is not a zero-emission ve-
13 hicle is prohibited.

14 “(2) EXCEPTION.—This subsection shall not
15 apply to any State that imposes a fee on motor vehi-
16 cles that is comparable in revenue to a gasoline tax.

17 “(b) EFFECT OF WITHHELD FUNDS.—

18 “(1) FUNDS NOT AVAILABLE TO NONCOM-
19 PLYING STATE.—No funds withheld under this sec-
20 tion from apportionment to any State shall be avail-
21 able for apportionment to such State.

22 “(2) REAPPORTIONMENT OF WITHHELD
23 FUNDS.—Any funds that are withheld from appor-
24 tionment to any State under this section shall be re-
25 apportioned to the other States.

1 “(c) ZERO-EMISSION VEHICLE.—In this section, the
2 term ‘zero-emission vehicle’ means a vehicle that produces
3 zero exhaust emissions of any air pollutant for which a
4 national ambient air quality standard has been promul-
5 gated under section 109 of the Clean Air Act (42 U.S.C.
6 7409) under any and all possible operational modes and
7 conditions.”.

8 (b) CLERICAL AMENDMENT.—The analysis for chap-
9 ter 1 of title 23, United States Code, is amended by add-
10 ing at the end the following:

“177. Zero-emission vehicles.”.

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