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Case Study Report # 2

I certify that this assignment is the result of my own efforts.

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Step 1: Determine the facts in the situation – obtain all of the unbiased facts possible

On November 15, 2007, the Ninth Circuit Court of Appeals reviewed and rejected the fuel economy standards put in place by the Bush administration with respect to light trucks and SUVs. The three judges claimed that the regulations failed to acknowledge the effect of tail pipe emissions on the climate. This appeal was one of several federal court rulings that were related to climate change.

Step 2: Define the Stakeholders - those with a vested interest in the outcome

The stakeholders are both the engineers working in the field of environmental protection as it relates to vehicular emissions and federal judges who have ruled against loose regulations.

Step 3: Assess the motivations of the Stakeholders - using effective communication techniques and personality assessment

Federal judges have a responsibility to uphold the law and make rulings where they see fit. The National Environmental Policy Act which lays out the framework of protecting the environment, is a law which must be upheld. In doing their duty to uphold the law, the judges' moral responsibility is to prolong the life and health of the environment. The engineers who design systems for vehicles have a professional as well as moral responsibility to do their best to provide efficient devices to limit vehicular emissions.

Step 4: Formulate alternative solutions - based on most complete information available, using basic ethical core values as guide

Instead of allowing loose environmental standards to reach the judicial system and be overturned, lawmakers should do their upmost to formulate standards that focus on the safety of the environment and public. The only other solution would be to remove environmental rulings from the judicial system and trust that engineers who design the efficiency of tailpipe emissions will act on the moral obligation of safety of the public to design the most efficient systems possible.

Step 5: Evaluate proposed alternatives - short-list ethical solutions only; may be a potential choice between/among two or more totally ethical solutions

While the second alternative might sound nice, the problem is that there are engineers and businesses who focus on profits and time efficiency over environmental protection. The first alternative: creating enforced regulations not just on a local scale, but a national and international level that focus on the protection of the environment; is the best choice.

Step 6: Seek additional assistance, as appropriate - engineering codes of ethics, previous cases, peers, and reliance on personal experience, prayer

I understand that there are many people in this day and time that do not agree with belief in God, as it is much easier for people to live life pleasing themselves and pushing other people down to build themselves up. But my personal belief is that

God gave us our world as a home that we should take care of and not to destroy it to make life easier.

Step 7: Select the best course of action - that which satisfies the highest core ethical values

The best course of action is for lawmakers to formulate the best standards that focus on environmental and public safety instead of creating loose standards that are then overturned.

Step 8: Implement the selected solution - take action as warranted

Implementing the solution may sound simple, but there will have to be a change of heart in the businesses, engineers, and lawmakers who are involved with the production of automobiles and environmental standards. People will need to understand they have a moral and professional responsibility to protect the environment. From there, it would be simple to formulate beneficial standards and produce more environmentally-friendly vehicles.

Step 9: Monitor and assess the outcome - note how to improve the next time

With the implementation of the best solution, automotive businesses have asked engineers to, first and foremost, look for ways to cut down on carbon emissions. With more of a focus on environmental safety, engineers have discovered ways to produce more fuel and emission efficient vehicles. Lawmakers have had a much easier time getting environmental protection laws passed and businesses do not mind meeting the new standards as they are already doing their best to create efficient

vehicles. This complete change in the automotive industry has resulted in a better environmental and moral situation.

Appendix

Case 2 (12-5e) Greenhouse Gas Emissions

On November 15, 2007, the Ninth Circuit Court of Appeals in San Francisco rejected the Bush administration's fuel economy standards for light trucks and sport utility vehicles. The three-judge panel objected that the regulations fail to take sufficiently into account the economic impact that tailpipe emissions can be expected to have on climate change. The judges also questioned why the standards were so much easier on light trucks than passenger cars. (The standards hold that by 2010 light trucks are to average 23.5 mpg, whereas passenger cars are to average 27.5 mpg.)

Although it is expected that an appeal will be made to the U.S. Supreme Court, this ruling is one of several recent federal court rulings that urge regulators to consider the risk of climate change in setting standards for carbon dioxide and other heat-trapping gas emissions from industry. Patrick A. Parenteau, Vermont Law School environmental law professor, is quoted as saying, "What this says to me is that the courts are catching up with climate change and the law is catching up with climate change. Climate change has ushered in a whole new era of judicial review."40

One of the judges, Betty B. Fletcher, invoked the National Environmental Policy Act in calling for cumulative impacts analyses explicitly taking into account the environmental impact of greenhouse gas emissions. Acknowledging that cost-benefit analysis may appropriately indicate

realistic limits for fuel economy standards, she insisted that “it cannot put a thumb on the scale by undervaluing the benefits and overvaluing the costs of more stringent standards.”

Finally, Judge Fletcher wrote, “What was a reasonable balancing of competing statutory priorities 20 years ago may not be a reasonable balancing of those priorities today.”

Given recent court trends, what implications are there for the responsibilities (and opportunities) of engineers working in the affected areas?