

AMENDMENT TO H.R. 3221
OFFERED BY MR. BARTON OF TEXAS

At the end of title IX, insert the following:

1 **Subtitle G—Average Fuel Economy**
2 **Standards for Automobiles**

3 **SECTION 9601. INCREASED AVERAGE FUEL ECONOMY**
4 **STANDARDS.**

5 (a) INCREASED STANDARD.—Section 32902 of title
6 49, United States Code, is amended—

7 (1) in subsection (a)—

8 (A) by striking “At least” and inserting
9 “(1) At least”;

10 (B) by striking “automobiles (except pas-
11 senger automobiles)” and inserting “non-pas-
12 senger automobiles”;

13 (C) by striking “classes of automobiles”
14 and inserting “classes of non-passenger auto-
15 mobiles based on vehicle attributes related to
16 fuel economy”; and

17 (D) by adding at the end the following:

18 “(2) In prescribing average fuel economy standards
19 under this section, the Secretary shall ensure that the av-
20 erage fuel economy standard for non-passenger auto-

1 mobiles manufactured by a manufacturer for model year
2 2022 and subsequent model years shall be not less than
3 27.5 miles per gallon.”;

4 (2) by amending subsection (b) to read as fol-
5 lows:

6 “(b) PASSENGER AUTOMOBILES.—(1) At least 18
7 months before the beginning of each model year, the Sec-
8 retary shall prescribe by regulation average fuel economy
9 standards for passenger automobiles manufactured by a
10 manufacturer in that model year. Each standard shall be
11 the maximum feasible average fuel economy level that the
12 Secretary decides the manufacturers can achieve in that
13 model year. The Secretary may prescribe separate stand-
14 ards for different classes of passenger automobiles based
15 on vehicle attributes related to fuel economy.

16 “(2) In prescribing average fuel economy standards
17 under this section, the Secretary shall ensure that the av-
18 erage fuel economy standard for passenger automobiles
19 manufactured by a manufacturer for model year 2022 and
20 subsequent model years shall be not less than 35 miles
21 per gallon.”; and

22 (3) by amending subsection (c) to read as fol-
23 lows:

24 “(c) ALTERNATIVE MINIMUM STANDARD FOR PAS-
25 Senger AUTOMOBILES.—(1) Notwithstanding any other

1 provision of this section, for any model year in which the
2 Secretary prescribes average fuel economy standards for
3 passenger automobiles on the basis of vehicle attributes,
4 the average fuel economy standard for passenger auto-
5 mobiles manufactured by a manufacturer in that model
6 year shall also provide for an alternative minimum stand-
7 ard that shall apply only to a manufacturer's domestically
8 manufactured passenger automobiles.

9 “(2) The alternative minimum standard referred to
10 in paragraph (1) shall be the greater of—

11 “(A) 27.5 miles per gallon; or

12 “(B) 92 percent of the average fuel economy
13 projected by the Secretary for the combined domes-
14 tic and foreign fleets manufactured for sale in the
15 United States by all manufacturers in that model
16 year, which projection shall be published in the Fed-
17 eral Register when the standard for that model year
18 is promulgated in accordance with this section.

19 “(3) The alternative minimum standard under this
20 subsection shall apply to a manufacturer's domestically
21 manufactured passenger automobiles only if the average
22 fuel economy standard established for passenger auto-
23 mobiles on the basis of vehicle attributes pursuant to this
24 section, excluding any credits transferred by the manufac-
25 turer pursuant to section 32903(g) from other categories

1 of automobiles described in such section, would allow that
2 manufacturer to comply with a less stringent average fuel
3 economy standard than the alternative minimum stand-
4 ard.

5 “(4) If the Secretary prescribes standards for pas-
6 senger automobiles on the basis of vehicle attributes, the
7 Secretary shall provide a transition period during the first
8 3 model years in which an attribute-based standard would
9 apply during which each manufacturer may elect whether
10 to comply with the attribute-based standard or with the
11 single corporate average fuel economy level prescribed
12 under subsection (b).”.

13 (b) EFFECTIVE DATE AND TRANSITION FROM EX-
14 ISTING STANDARDS.—

15 (1) IN GENERAL.—Except as provided in para-
16 graph (2), the amendments made by this section
17 shall take effect on the date of the enactment of this
18 Act.

19 (2) TRANSITION FOR PASSENGER AUTO-
20 MOBILES.—The standard or standards for passenger
21 automobiles under the authority of section 32902(b)
22 of title 49, United States Code, in effect on the day
23 before the date of the enactment of this Act, shall
24 remain in effect until a standard for passenger auto-

1 mobiles is prescribed pursuant to such section, as
2 amended by this section.

3 (c) TECHNICAL AND CONFORMING AMENDMENTS.—

4 Chapter 329 of title 49, United States Code, is amended—

5 (1) in section 32901(a)—

6 (A) by redesignating paragraph (16) as
7 paragraph (17); and

8 (B) by inserting after paragraph (15) the
9 following:

10 “(16) ‘non-passenger automobile’ means an
11 automobile that is not a passenger automobile; and”;

12 (2) in section 32902—

13 (A) in subsection (g)—

14 (i) in paragraph (1), by striking “sub-
15 section (a) or (d)” both places it appears
16 and inserting “subsection (a), (b), (c), or
17 (d)”;

18 (ii) in paragraph (2), by striking
19 “(and submit the amendment to Congress
20 when required under subsection (c)(2) of
21 this section)”;

22 (B) in subsection (h), by striking “sub-
23 sections (c),” and inserting “subsections (b),
24 (c)”;

1 (C) in subsection (j), by striking “sub-
2 section (a),” and inserting “subsection (a),
3 (b),”;

4 (3) in section 32903—

5 (A) by striking “section 32902(b)–(d) of
6 this title” each place it appears and inserting
7 “subsection (a) through (d) of section 32902”;

8 (B) in subsection (a)(2), by striking
9 “clause (1) of this subsection” and inserting
10 “paragraph (1)”; and

11 (C) in subsection (e), by striking “auto-
12 mobiles that are not passenger automobiles”
13 and inserting “non-passenger automobiles”; and

14 (4) in section 32909(b), by striking “, except
15 that a petition for review” and all that follows
16 through “referred to in section 32902(c)(2)”.

17 **SEC. 9602. CREDIT TRANSFERRING WITHIN A MANUFAC-**
18 **TURER’S FLEET.**

19 Section 32903 of title 49, United States Code, is
20 amended by adding at the end the following:

21 “(g) CREDIT TRANSFERRING WITHIN A MANUFAC-
22 TURER’S FLEET.—(1) The Secretary of Transportation
23 shall establish by regulation a corporate average fuel econ-
24 omy credit transferring program to allow any manufac-
25 turer whose automobiles exceed any of the average fuel

1 economy standards prescribed under section 32902 to
2 transfer the credits earned under this section and to apply
3 such credits within that manufacturer's fleet to a compli-
4 ance category of automobiles that fails to achieve the pre-
5 scribed standards.

6 “(2) Credits transferred under this subsection are
7 available to be used in the same model years that the man-
8 ufacturer could have applied such credits under sub-
9 sections (a), (b), (d), and (e), as well as for the model
10 year in which the manufacturer earned such credits. The
11 maximum increase in any compliance category attributable
12 to transferred credits is 1.0 mile per gallon in any single
13 model year.

14 “(3) In the case of transfers of credits to the category
15 of automobiles described in paragraph (5)(B)(i), the
16 transfer is limited to the extent that the fuel economy level
17 of the manufacturer's fleet of passenger automobiles man-
18 ufactured domestically shall comply with the provisions es-
19 tablished under section 32902(c), excluding any transfers
20 from other categories of automobiles described in para-
21 graph (5)(B).

22 “(4) A credit transferred in conformance with this
23 subsection may only be so transferred if such credit is
24 earned in model year 2010 or any subsequent model year.

25 “(5) As used in this subsection—

1 “(A) the term ‘fleet’ means all automobiles
2 manufactured by a manufacturer in a particular
3 model year; and

4 “(B) the term ‘compliance category of auto-
5 mobiles’ means any of the 3 categories of auto-
6 mobiles for which compliance is separately calculated
7 under this chapter, namely—

8 “(i) passenger automobiles manufactured
9 domestically;

10 “(ii) passenger automobiles not manufac-
11 tured domestically; and

12 “(iii) non-passenger automobiles.”.

13 **SEC. 9603. FUEL CONSERVATION EDUCATION PROGRAM.**

14 (a) **PARTNERSHIP.**—The Secretary of Transportation
15 shall enter into a partnership with interested industry
16 groups, including groups from the automotive, gasoline re-
17 fining, and oil industries, and groups representing the
18 public interest and consumers to establish a public edu-
19 cation campaign that provides information to United
20 States drivers about immediate measures that may be
21 taken to conserve transportation fuel.

22 (b) **ACCESSIBILITY.**—The public information cam-
23 paign under this section shall be targeted to reach the
24 widest audience possible. The education campaign may in-
25 clude television, print, Internet website, or any other

1 method designed to maximize the dissemination of trans-
2 portation fuel savings information to drivers.

3 (c) COST SHARING.—The Secretary shall provide no
4 more than 50 percent of the cost of the campaign created
5 under this section. The Secretary is authorized to accept
6 private funds to augment funds made available under this
7 section.

8 (d) AUTHORIZATION OF APPROPRIATIONS.—There
9 are authorized to be appropriated to the Secretary of
10 Transportation \$10,000,000 to carry out this section.

Amend the table of contents by adding at the end
the following:

Subtitle G—Average Fuel Economy Standards for Automobiles

- Sec. 9601. Increased average fuel economy standards.
- Sec. 9602. Credit transferring within a manufacturer's fleet.
- Sec. 9603. Fuel conservation education program.