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**AMENDMENT TO H.R. 3221**  
**OFFERED BY MR. ENGEL OF NEW YORK**

At the end of part 1 of subtitle D of title IX, insert  
the following:

1 **SEC. 9318. FUEL CHOICE FOR TRANSPORTATION.**

2 (a) DEFINITIONS.—In this section the following defi-  
3 nitions apply:

4 (1) ALTERNATIVE FUEL; ALTERNATIVE FUEL  
5 AUTOMOBILE.—The terms “alternative fuel” and  
6 “alternative fuel automobile” have the meanings  
7 given such terms in section 32901 of title 49, United  
8 States Code.

9 (2) M85.—The term “M85” means a fuel blend  
10 containing 85 percent methanol and 15 percent gas-  
11 oline by volume.

12 (3) FUEL CHOICE-ENABLING MOTOR VEHI-  
13 CLE.—The term “fuel choice-enabling motor vehicle”  
14 means—

15 (A) a flexible-fuel motor vehicle; or

16 (B) a motor vehicle warranted by its man-  
17 ufacturer to operate on gasoline and on M85.

18 (4) LIGHT-DUTY MOTOR VEHICLE.—The term  
19 “light-duty motor vehicle” means, as defined in reg-

1       ulations promulgated by the Administrator of the  
2       Environmental Protection Agency in effect on the  
3       date of enactment of this Act—

4               (A) a light-duty truck; or

5               (B) a light-duty vehicle.

6       (b) FUEL CHOICE FOR TRANSPORTATION.—

7               (1) RULEMAKING.—Not later than 1 year after  
8       the date of enactment of this Act, the Secretary of  
9       Transportation shall issue regulations to carry out  
10      the provisions of this subsection.

11              (2) SCHEDULE.—Not less than 50 percent of  
12      each light-duty motor vehicles manufacturer's an-  
13      nual production of passenger cars manufactured on  
14      and after January 1, 2012, and before January 1,  
15      2013, and no less than 80 percent of each manufac-  
16      turer's production of passenger cars manufactured  
17      on and after January 1, 2013 shall be fuel choice-  
18      enabling motor vehicles or alternative fuel auto-  
19      mobiles.

20              (3) TEMPORARY EXEMPTION FROM REQUIRE-  
21      MENTS.—

22              (A) IN GENERAL.—Upon application by a  
23      manufacturer, in such manner and containing  
24      such information as the Secretary of Transpor-  
25      tation shall prescribe in the regulations promul-

1 gated under this section, the Secretary may at  
2 any time, under such terms and conditions and  
3 to such extent as the Secretary deems appro-  
4 priate, temporarily exempt or renew the exemp-  
5 tion of a motor vehicle from the requirements  
6 of this subsection if the Secretary finds that  
7 there has been a disruption in the supply of any  
8 component required for compliance with the  
9 regulations, or a disruption in the use and in-  
10 stallation by the manufacturer of such compo-  
11 nent due to unavoidable events not under the  
12 control of the manufacturer, that will prevent a  
13 manufacturer from meeting its anticipated pro-  
14 duction volume of vehicles that meet the re-  
15 quirements of this subsection.

16 (B) APPLICATION REQUIREMENTS.—Each  
17 application for such exemption must be filed by  
18 the manufacturer affected, and must specify the  
19 models, lines, and types of vehicles actually af-  
20 fected, although the Secretary may consolidate  
21 applications of a similar nature of 1 or more  
22 manufacturers.

23 (C) RECALL.—Any exemption or renewal  
24 shall be conditioned upon the manufacturer's  
25 commitment to recall the exempted vehicles for

1 installation of omitted components within a rea-  
2 sonable time proposed by the manufacturer and  
3 approved by the Secretary after such compo-  
4 nents become available in sufficient quantities  
5 to satisfy both anticipated production and recall  
6 volume requirements.

7 (D) NOTICE AND LABELING.—Notice of  
8 each application shall be published in the Fed-  
9 eral Register and notice of each decision to  
10 grant or deny a temporary exemption, and the  
11 reasons for granting or denying it, shall be pub-  
12 lished in the Federal Register. The Secretary  
13 shall require labeling for each exempted motor  
14 vehicle which can only be removed after recall  
15 and installation of the required components. If  
16 a vehicle is delivered without the fuel choice ca-  
17 pability required in this section, the Secretary  
18 shall require that written notification of the ex-  
19 emption be delivered to the dealer and first pur-  
20 chasers for purposes other than resale of such  
21 exempted motor vehicle in such a manner, and  
22 containing such information, as the Secretary  
23 deems appropriate.

Amend the table of contents by adding, after the  
item relating to section 9317, the following:

Sec. 9318. Fuel choice for transportation.