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## COURT RULES AGAINST AUTOMAKERS; DEFENDS CALIFORNIA TAILPIPE LAW

BERKELEY, California (December 12, 2007) -- Today a federal judge threw out an auto industry challenge to a California law requiring automakers to cut vehicle global warming pollution. Federal District Court Judge Anthony Ishii in Fresno rejected U.S. automakers' claims that federal law preempts the state standards.

"Three strikes and you're out," said Patricia Monahan, deputy director of the Clean Vehicles Program at the Union of Concerned Scientists (UCS). "With today's decision, three federal courts have now ruled against the auto industry's bogus claims."

California and 12 other states have adopted new, more stringent tailpipe standards for cars and light trucks. These standards, which are scheduled to phase in between 2009 and 2016, would reduce global warming pollution from new cars by about 30 percent. Earlier this year, UCS unveiled a vehicle design, dubbed the Vanguard, which would exceed the California standard by cutting global warming pollution by more than 40 percent using conventional, off-the-shelf technology. (For more information on the Vanguard design, go to: [www.ucsusa.org/clean\\_vehicles/vehicles\\_health/ucs-vanguard.html](http://www.ucsusa.org/clean_vehicles/vehicles_health/ucs-vanguard.html).)

This historic ruling comes on the heels of two other recent court decisions supporting the regulation of vehicle global warming pollution. In April, the U.S. Supreme Court ruled that vehicles' global warming emissions are pollutants that can and should be regulated. In August, a federal judge in Vermont ruled against the automakers by upholding states' rights to regulate vehicle global warming pollution.

Regardless, the Bush administration has stepped up its efforts to undermine federal and state efforts to regulate global warming emissions under the Clean Air Act. Most recently, the administration has threatened to veto energy legislation that directs the Department of Transportation (DOT) to raise fuel economy standards to 35 miles per gallon by 2020. The administration claims that these fuel economy standards would conflict with existing efforts to regulate vehicle global warming emissions under the Clean Air Act.

In fact, the Supreme Court addressed this question in *Massachusetts v. EPA*, the decision that affirmed the Environmental Protection Agency's authority under the Clean Air Act to regulate tailpipe emissions. The high court concluded that DOT and EPA jurisdictions "may overlap, but there is no reason to think the two agencies cannot both administer their obligations and yet avoid inconsistency."

"It's time for the automakers to bench their lawyers and put their engineers to work," said Monahan. "They can meet the California standards with today's technology, and consumers will get cleaner cars that will save them billions of dollars at the pump."

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Formed in 1969, the Union of Concerned Scientists is the leading science-based nonprofit organization working for a healthy environment and a safer world. UCS has offices in Cambridge, Massachusetts; Berkeley, California; and Washington, D.C. For more information, go to [www.ucsusa.org](http://www.ucsusa.org)