

119TH CONGRESS
1ST SESSION

S. 3135

To require the Administrator of the Environmental Protection Agency to authorize manufacturers of certain vehicles to suspend engine derate or shutdown functions in prolonged cold weather conditions, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 6, 2025

Mr. SULLIVAN (for himself and Ms. LUMMIS) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To require the Administrator of the Environmental Protection Agency to authorize manufacturers of certain vehicles to suspend engine derate or shutdown functions in prolonged cold weather conditions, 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 “Cold Weather Diesel
5 Reliability Act of 2025”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) diesel vehicles are vital for critical transpor-
2 tation and emergency services in cold weather re-
3 gions;

4 (2) in rural regions with prolonged freezing
5 conditions, diesel exhaust fluid storage, supply, and
6 system functionality are frequently unreliable and
7 logistically impractical on a year-round basis;

8 (3) automatic engine shutdowns and power re-
9 ductions due to emissions control malfunctions in ex-
10 treme cold pose serious, life-threatening risks; and

11 (4) emissions safeguards under the Clean Air
12 Act (42 U.S.C. 7401 et seq.) were never intended to
13 jeopardize human safety or impede critical mobility.

14 **SEC. 3. DEFINITIONS.**

15 In this Act:

16 (1) ADMINISTRATOR.—The term “Adminis-
17 trator” means the Administrator of the Environ-
18 mental Protection Agency.

19 (2) COVERED MANUFACTURER.—The term
20 “covered manufacturer” means the manufacturer
21 (as defined in section 216 of the Clean Air Act (42
22 U.S.C. 7550)) of a covered vehicle or an engine of
23 a covered vehicle.

1 (3) COVERED VEHICLE.—The term “covered ve-
 2 hicle” means an on-highway diesel vehicle or
 3 nonroad diesel equipment.

4 **SEC. 4. DIESEL ENGINE EMISSIONS RELIEF IN COLD**
 5 **WEATHER REGIONS.**

6 (a) COLD WEATHER SENSOR MITIGATION MEAS-
 7 URES.—Not later than 180 days after the date of enact-
 8 ment of this Act, the Administrator shall revise any appli-
 9 cable regulation under the Clean Air Act (42 U.S.C. 7401
 10 et seq.) that applies to covered vehicles or engines used
 11 in covered vehicles to authorize covered manufacturers to
 12 suspend inducement-related engine derate or shutdown
 13 functions that are triggered by emissions control system
 14 faults when ambient temperatures are at or below zero de-
 15 grees Centigrade and to specify that no party other than
 16 a covered manufacturer shall suspend those inducement-
 17 related derate or shutdown functions, subject to the condi-
 18 tions that—

19 (1) the engine returns to normal emission con-
 20 trol operation, including inducement enforcement,
 21 once ambient temperatures rise above zero degrees
 22 Centigrade; and

23 (2) continued maximum engine performance
 24 when ambient temperatures are at or below zero de-
 25 grees Centigrade is necessary to prevent occupa-

1 tional danger, equipment failure, or loss of essential
 2 transportation functionality in remote areas with
 3 limited roadside support or emergency communica-
 4 tions access.

5 (b) RELIEF TO REGIONS WITH PROLONGED FREEZ-
 6 ING CONDITIONS.—

7 (1) IN GENERAL.—Not later than 180 days
 8 after the date of enactment of this Act, the Adminis-
 9 trator shall revise any applicable regulation under
 10 the Clean Air Act (42 U.S.C. 7401 et seq.) to grant
 11 a year-round exemption from diesel exhaust fluid
 12 system requirements any covered vehicle that—

13 (A) is primarily operated north of 59 de-
 14 grees north latitude, as demonstrated by docu-
 15 mentation of commercial operation, domicile lo-
 16 cation, or maintenance and dispatch records; or

17 (B) encounters operational or logistical
 18 conditions characterized by prolonged ambient
 19 temperatures that—

20 (i) are below the freezing point of die-
 21 sel exhaust fluid; or

22 (ii) otherwise make the use of the die-
 23 sel exhaust fluid system impractical.

24 (2) SCOPE OF RELIEF.—In carrying out para-
 25 graph (1), the Administrator shall grant to a cov-

1 ered vehicle described in subparagraph (A) or (B) of
2 that paragraph an exemption from any requirement
3 to include an engine derate or shutdown function
4 that is triggered by the absence, degradation, mal-
5 function, or fault of a diesel exhaust fluid system,
6 including any associated sensors or electronic control
7 modules.

8 **SEC. 5. RULE OF CONSTRUCTION.**

9 Nothing in this Act waives compliance with any emis-
10 sions standard under the Clean Air Act (42 U.S.C. 7401
11 et seq.) outside of—

- 12 (1) the temporary cold-weather operational
13 mode authorized under section 4(a); and
14 (2) the exemption from diesel exhaust fluid sys-
15 tem requirements under section 4(b).

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