

113TH CONGRESS
2D SESSION

H. R. 5107

To amend title 49, United States Code, to reduce the fuel economy obligations of automobile manufacturers whose fleets contain at least 50 percent fuel choice enabling vehicles, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 15, 2014

Ms. ROS-LEHTINEN (for herself, Mr. COLE, and Mr. SALMON) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title 49, United States Code, to reduce the fuel economy obligations of automobile manufacturers whose fleets contain at least 50 percent fuel choice enabling vehicles, 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 “Fuel Choice for Amer-
5 ican Prosperity and Security Act of 2014”.

1 **SEC. 2. FUEL CHOICE ENABLING MANUFACTURERS.**

2 (a) IN GENERAL.—Chapter 329 of title 49, United
3 States Code, is amended by adding at the end the fol-
4 lowing:

5 **“§ 32920. Fuel choice enabling manufacturers**

6 “(a) CALCULATION OF AVERAGE FUEL ECONOMY.—
7 The average fuel economy of a fuel choice enabling manu-
8 facturer is the sum of—

9 “(1) the average fuel economy of such manufac-
10 turer determined under section 32904; and

11 “(2) 4 miles per gallon.

12 “(b) DEEMED COMPLIANCE WITH GREENHOUSE GAS
13 EMISSION STANDARDS.—If a fuel choice enabling manu-
14 facturer is in compliance with all applicable standards pre-
15 scribed under section 32902 for a model year, the auto-
16 mobiles manufactured by such manufacturer in such
17 model year are deemed to be in compliance with the stand-
18 ards for emissions of greenhouse gases promulgated under
19 section 202(a) of the Clean Air Act (42 U.S.C. 7521(a)).

20 “(c) DEFINITIONS.—In this section:

21 “(1) BIODIESEL.—The term ‘biodiesel’ means
22 diesel fuel which has been produced from a non-pe-
23 troleum feedstock and which meets the specifications
24 of the ASTM D6751–03 standard.

25 “(2) E85.—The term ‘E85’ means a fuel mix-
26 ture that contains up to 85 percent ethanol and

1 meets the specifications of the ASTM D5798 stand-
2 ard.

3 “(3) FLEXIBLE FUEL VEHICLE.—The term
4 ‘flexible fuel vehicle’ means a vehicle that has been
5 warranted by its manufacturer to operate on gaso-
6 line, E85, and M85.

7 “(4) FUEL CHOICE ENABLING MANUFAC-
8 Turer.—The term ‘fuel choice enabling manufac-
9 turer’ means a manufacturer whose total fleet of
10 automobiles manufactured in a model year for sale
11 in the United States contains at least 50 percent
12 fuel choice enabling vehicles.

13 “(5) FUEL CHOICE ENABLING VEHICLE.—The
14 term ‘fuel choice enabling vehicle’ means an auto-
15 mobile that—

16 “(A) has been warranted by its manufac-
17 turer to operate on natural gas, hydrogen, pro-
18 pane, or biodiesel;

19 “(B) is a flexible fuel vehicle;

20 “(C) is a plug-in electric drive vehicle;

21 “(D) is propelled solely by a fuel cell that
22 can produce power without the use of petroleum
23 or a petroleum-based fuel; or

24 “(E) is propelled solely by something other
25 than an internal combustion engine and is war-

1 ranted by its manufacturer to operate on some-
2 thing other than petroleum-based fuel.

3 “(6) GREENHOUSE GAS.—The term ‘greenhouse
4 gas’ means carbon dioxide, nitrous oxide, methane,
5 hydrofluorocarbons, perfluorocarbons, sulfur hexa-
6 fluoride, or any other substance subject to regulation
7 under section 202(a) of the Clean Air Act (42
8 U.S.C. 7521(a)) to address climate change.

9 “(7) M85.—The term ‘M85’ means a fuel mix-
10 ture that contains up to 85 percent methanol and
11 meets the specifications of the ASTM D5797 stand-
12 ard.

13 “(8) PLUG-IN ELECTRIC DRIVE VEHICLE.—The
14 term ‘plug-in electric drive vehicle’ has the meaning
15 given such term in section 508(a) of the Energy Pol-
16 icy Act of 1992 (42 U.S.C. 13258(a)).”.

17 (b) AVERAGE FUEL ECONOMY DEFINED.—Para-
18 graph (5) of section 32901(a) of title 49, United States
19 Code, is amended—

20 (1) by striking the period at the end and insert-
21 ing “; or”;

22 (2) by striking “means average” and inserting
23 the following: “means—

24 “(A) average”; and

25 (3) by adding at the end the following:

1 “(B) in the case of a fuel choice enabling
2 manufacturer (as defined in section 32920), av-
3 erage fuel economy determined under such sec-
4 tion.”.

5 (c) CLERICAL AMENDMENT.—The analysis for chap-
6 ter 329 of title 49, United States Code, is amended by
7 inserting after the item relating to section 32919 the fol-
8 lowing:

 “32920. Fuel choice enabling manufacturers.”.

9 (d) EFFECTIVE DATE.—The amendments made by
10 this section shall apply with respect to model years begin-
11 ning with model year 2016.

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