

115TH CONGRESS
1ST SESSION

H. R. 4011

To amend chapter 329 of title 49, United States Code, relating to average fuel economy standards for automobiles.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 11, 2017

Mr. UPTON (for himself and Mrs. DINGELL) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To amend chapter 329 of title 49, United States Code, relating to average fuel economy standards for automobiles.

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 Economy Harmo-
5 nization Act”.

6 **SEC. 2. CREDITS FOR EXCEEDING AVERAGE FUEL ECON-** 7 **OMY STANDARDS.**

8 Section 32903 of title 49, United States Code, is
9 amended—

10 (1) in subsection (a)—

1 (A) by redesignating paragraphs (1) and
2 (2) as subparagraphs (A) and (B), respectively,
3 and moving their margins 2 ems to the right;

4 (B) in the matter preceding subparagraph
5 (A), as redesignated, by striking “When” and
6 inserting the following:

7 “(1) IN GENERAL.—When”;

8 (C) in paragraph (1)(B), as redesignated,
9 by striking “paragraph (1)” and inserting “sub-
10 paragraph (A),”; and

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

12 “(2) MODEL YEARS 2016 THROUGH 2021.—Not-
13 withstanding paragraph (1)(B), beginning with
14 model year 2016 and ending with model year 2021,
15 a manufacturer may apply any credits earned after
16 model year 2009 pursuant to paragraph (1), which
17 have not been applied pursuant to paragraph (1)(A),
18 to any model year beginning after the model year for
19 which the credits are earned.”;

20 (2) in subsection (b)(2)(B), by striking “sub-
21 section (a)(1) of this section” and inserting “sub-
22 section (a)(1)(A)”;

23 (3) in subsection (g)—

24 (A) in paragraph (3)—

1 (i) in subparagraph (A), by striking
2 “2011” and inserting “2010”;

3 (ii) in subparagraph (B), by striking
4 “2017, 1.5 miles per gallon; and” and in-
5 serting “2016, 1.5 miles per gallon.”; and

6 (iii) by striking subparagraph (C) and
7 inserting the following:

8 “(C) for model years 2017 and 2018, 2.0
9 miles per gallon;

10 “(D) for model years 2019 through 2021,
11 4.0 miles per gallon; and

12 “(E) for model year 2022 and subsequent
13 model years, 6.0 miles per gallon.”; and

14 (B) in paragraph (5), by striking “2010”
15 and inserting “2009”.

16 **SEC. 3. CALCULATION OF AVERAGE FUEL ECONOMY.**

17 Section 32904(a) of title 49, United States Code, is
18 amended by adding at the end the following:

19 “(3) For model years 2012 through 2025, if re-
20 quested by a manufacturer, the average fuel economy cal-
21 culated by the Administrator for the manufacturer’s pas-
22 senger and nonpassenger automobiles shall include off-
23 cycle technology fuel economy credits equivalent to the
24 credits calculated by the Administrator for the off-cycle
25 technology under the Administrator’s vehicle emissions

1 standards for the same or closest model year, provided
2 that the technology has a direct impact upon improving
3 fuel economy performance.”.

4 **SEC. 4. RULE OF CONSTRUCTION.**

5 Nothing in this Act or the amendments made by this
6 Act may be construed to direct or grant new authority
7 to the Secretary of Transportation to modify a maximum
8 feasible average fuel economy standard established under
9 section 32902 of title 49, United States Code. The Sec-
10 retary’s authority to establish and amend a maximum fea-
11 sible average fuel economy standard as provided in such
12 section is unaffected by this Act and the amendments
13 made by this Act.

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