

# Calendar No. 619

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> 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.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 6, 2025

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

SEPTEMBER 16, 2026

Reported by Mrs. CAPITO, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

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## 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Cold Weather Diesel  
3 Reliability Act of 2025”.

4 **SEC. 2. FINDINGS.**

5 Congress finds that—

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

9 (2) in rural regions with prolonged freezing  
10 conditions, diesel exhaust fluid storage, supply, and  
11 system functionality are frequently unreliable and  
12 logistically impractical on a year-round basis;

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

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

19 **SEC. 3. DEFINITIONS.**

20 In this Act:

21 (1) **ADMINISTRATOR.**—The term “Adminis-  
22 trator” means the Administrator of the Environ-  
23 mental Protection Agency.

24 (2) **COVERED MANUFACTURER.**—The term  
25 “covered manufacturer” means the manufacturer  
26 (as defined in section 216 of the Clean Air Act (42

1 U.S.C. 7550)) of a covered vehicle or an engine of  
 2 a covered vehicle.

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

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

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

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

1           (2) continued maximum engine performance  
 2           when ambient temperatures are at or below zero de-  
 3           grees Centigrade is necessary to prevent occupa-  
 4           tional danger, equipment failure, or loss of essential  
 5           transportation functionality in remote areas with  
 6           limited roadside support or emergency communica-  
 7           tions access.

8           (b) RELIEF TO REGIONS WITH PROLONGED FREEZ-  
 9           ING CONDITIONS.—

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

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

20                   (B) encounters operational or logistical  
 21                   conditions characterized by prolonged ambient  
 22                   temperatures that—

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

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

3 ~~(2) SCOPE OF RELIEF.—In carrying out para-~~  
 4 ~~graph (1), the Administrator shall grant to a cov-~~  
 5 ~~ered vehicle described in subparagraph (A) or (B) of~~  
 6 ~~that paragraph an exemption from any requirement~~  
 7 ~~to include an engine derate or shutdown function~~  
 8 ~~that is triggered by the absence, degradation, mal-~~  
 9 ~~function, or fault of a diesel exhaust fluid system,~~  
 10 ~~including any associated sensors or electronic control~~  
 11 ~~modules.~~

12 **SEC. 5. RULE OF CONSTRUCTION.**

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

16 (1) the temporary cold-weather operational  
 17 mode authorized under section 4(a); and

18 (2) the exemption from diesel exhaust fluid sys-  
 19 tem requirements under section 4(b).

20 **SECTION 1. SHORT TITLE.**

21 *This Act may be cited as the “Cold Weather Diesel Re-*  
 22 *liability Act of 2026”.*

23 **SEC. 2. DEFINITIONS.**

24 *In this Act:*

1           (1) *ADMINISTRATOR.*—The term “Adminis-  
 2           trator” means the Administrator of the Environ-  
 3           mental Protection Agency.

4           (2) *AGRICULTURAL EQUIPMENT.*—

5           (A) *IN GENERAL.*—The term “agricultural  
 6           equipment” means—

7                   (i) nonroad diesel equipment and ma-  
 8                   chinery, including tractors, combines, till-  
 9                   age implements, balers, planters, seeding  
 10                  equipment, and any other self-propelled  
 11                  equipment that is primarily designed for  
 12                  use in spraying, fertilizing, or harvesting  
 13                  covered commodities (as defined in section  
 14                  1111 of the Agricultural Act of 2014 (7  
 15                  U.S.C. 9011)); and

16                  (ii) a nonroad diesel engine that pow-  
 17                  ers equipment and machinery described in  
 18                  clause (i).

19           (B) *EXCLUSION.*—The term “agricultural  
 20           equipment” does not include a self-propelled ma-  
 21           chine designed primarily for the transportation  
 22           of persons or property on a street or highway.

23           (3) *COVERED MANUFACTURER.*—The term “cov-  
 24           ered manufacturer” means the manufacturer (as de-  
 25           fined in section 216 of the Clean Air Act (42 U.S.C.

1       7550)) of a covered vehicle or an engine of a covered  
2       vehicle.

3               (4) COVERED VEHICLE.—The term “covered vehi-  
4       cle” means an on-highway diesel vehicle or nonroad  
5       diesel equipment.

6   **SEC. 3. DIESEL ENGINE DERATE RELIEF.**

7       (a) COLD WEATHER SENSOR MITIGATION MEAS-  
8       URES.—Not later than 180 days after the date of enactment  
9       of this Act, the Administrator shall revise any applicable  
10      regulation under the Clean Air Act (42 U.S.C. 7401 et seq.)  
11      that applies to covered vehicles or engines used in covered  
12      vehicles to authorize covered manufacturers of those covered  
13      vehicles or engines to suspend inducement-related engine de-  
14      rate or shutdown functions that are triggered by the emis-  
15      sions control system when ambient temperatures are at or  
16      below 20 degrees Fahrenheit and to specify that no party  
17      other than a covered manufacturer shall suspend those in-  
18      ducement-related derate or shutdown functions, subject to  
19      the condition that the engine shall return to normal oper-  
20      ation once ambient temperatures rise above 20 degrees  
21      Fahrenheit.

22       (b) RELIEF TO FARMERS AND ARCTIC REGIONS.—Not-  
23      withstanding any other provision of law, not later than 180  
24      days after the date of enactment of this Act, the Adminis-  
25      trator shall revise any applicable regulation under the

1 *Clean Air Act (42 U.S.C. 7401 et seq.) to authorize covered*  
2 *manufacturers to permanently suspend inducement-related*  
3 *engine derate or shutdown functions that are triggered by*  
4 *the emissions control system on—*

5           (1) *agricultural equipment; or*

6           (2) *a covered vehicle that is primarily operated*  
7 *north of 59 degrees north latitude, as demonstrated by*  
8 *documentation of commercial operation and mainte-*  
9 *nance and dispatch records.*

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

11       *Nothing in this Act waives compliance with any emis-*  
12 *sions standard under the Clean Air Act (42 U.S.C. 7401*  
13 *et seq.).*



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