

graph (1) of this subsection in each report submitted under subsection (a) of this section more than 180 days after an exemption has been granted under section 32904(b)(6) of this title, or submit the results of the examination directly to Congress before the report is submitted when circumstances warrant.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1074; Pub. L. 103-429, §6(42), Oct. 31, 1994, 108 Stat. 4382.)

HISTORICAL AND REVISION NOTES
PUB. L. 103-272

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|---|
| 32916(a) | 15:2002(a)(2). | Oct. 20, 1972, Pub. L. 92-513, 86 Stat. 947, §502(a)(2); added Dec. 22, 1975, Pub. L. 94-163, §301, 89 Stat. 902. |
| 32916(b)(1) .. | 15:2012(c)(1). | Oct. 20, 1972, Pub. L. 92-513, 86 Stat. 947, §512(c); added Oct. 10, 1980, Pub. L. 96-425, §4(a)(2), 94 Stat. 1823. |
| 32916(b)(2) .. | 15:2012(c)(2). | |

In subsection (a), the words “a report on the review by the Secretary” are substituted for “a review” for clarity. The words “beginning in 1977” and the text of 15:2002(a) (2d, last sentences) are omitted as executed.

In subsection (b)(1), before clause (A), reference to section 32904(b)(4) the 2d time it appears is substituted for “the amendment made to section 2003(b) of this title by section 4(a)(1) of the Automobile Fuel Efficiency Act of 1980” for clarity and to eliminate unnecessary words. Clause (B) is substituted for “achieves the purposes of that Act” for clarity.

In subsection (b)(2), the reference to “subsection (a) of this section” is restated to refer to 15:2002(a) rather than 15:2012(a) to reflect the apparent intent of Congress. Although 15:2012(c)(2) refers to an annual report under 15:2012(a), that provision does not provide for an annual report.

PUB. L. 103-429

This makes conforming amendments necessary because of the restatement of 15:2003(b)(2)(G) as 49:32904(b)(3) by section 6(36)(B) of the bill.

Editorial Notes

REFERENCES IN TEXT

Paragraph (6) of section 32904(b) of this title, referred to in subsec. (b), was repealed by Pub. L. 110-140, title I, §113(a), Dec. 19, 2007, 121 Stat. 1508.

AMENDMENTS

1994—Subsec. (b). Pub. L. 103-429, in par. (1), introductory provisions, substituted “32904(b)(6)” for “32904(b)(4)” in two places, in par. (1)(E), substituted “32904(b)(2)” for “32904(b)(1)(A)”, and in par. (2), substituted “32904(b)(6)” for “32904(b)(4)”.

§ 32917. Standards for executive agency automobiles

(a) DEFINITION.—In this section, “executive agency” has the same meaning given that term in section 105 of title 5.

(b) FLEET AVERAGE FUEL ECONOMY.—(1) The President shall prescribe regulations that require passenger automobiles leased for at least 60 consecutive days or bought by executive agencies in a fiscal year to achieve a fleet average fuel economy (determined under paragraph (2) of this subsection) for that year of at least the greater of—

- (A) 18 miles a gallon; or
- (B) the applicable average fuel economy standard under section 32902(b) or (c) of this title for the model year that includes January 1 of that fiscal year.

- (2) Fleet average fuel economy is—
 - (A) the total number of passenger automobiles leased for at least 60 consecutive days or bought by executive agencies in a fiscal year (except automobiles designed for combat-related missions, law enforcement work, or emergency rescue work); divided by
 - (B) the sum of the fractions obtained by dividing the number of automobiles of each model leased or bought by the fuel economy of that model.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1075.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------------|---|
| 32917(a) | 15:2010(b)(2). | Oct. 20, 1972, Pub. L. 92-513, 86 Stat. 947, §510; added Dec. 22, 1975, Pub. L. 94-163, §301, 89 Stat. 915. |
| 32917(b) | 15:2010(a), (b)(1), (3). | |

In subsection (b)(1), before clause (A), the words “within 120 days after December 22, 1975” and “which begins after December 22, 1975” are omitted as executed. The words “(determined under paragraph (2) of this subsection)” are added for clarity.

In subsection (b)(2), before clause (A), the words “As used in this section: (1) The term” are omitted as surplus. In clause (A), the words “to which this section applies” and “for the Armed Forces” are omitted as surplus. In clause (B), the words “the sum of the fractions obtained” are substituted for “a sum of terms, each term of which is a fraction created” to eliminate unnecessary words.

§ 32918. Retrofit devices

(a) DEFINITION.—In this section, the term “retrofit device” means any component, equipment, or other device—

- (1) that is designed to be installed in or on an automobile (as an addition to, as a replacement for, or through alteration or modification of, any original component, equipment, or other device); and
- (2) that any manufacturer, dealer, or distributor of the device represents will provide higher fuel economy than would have resulted with the automobile as originally equipped,

as determined under regulations of the Administrator of the Environmental Protection Agency. The term also includes a fuel additive for use in an automobile.

(b) EXAMINATION OF FUEL ECONOMY REPRESENTATIONS.—The Federal Trade Commission shall establish a program for systematically examining fuel economy representations made with respect to retrofit devices. Whenever the Commission has reason to believe that any representation may be inaccurate, the Commission shall request the Administrator to evaluate, in accordance with subsection (c) of this section, the retrofit device with respect to which the representation was made.

(c) EVALUATION OF RETROFIT DEVICES.—(1) On application of any manufacturer of a retrofit de-