

Report on Supply Chain Compliance Volume 2, Number 21. November 07, 2019 Battle over emission standards heats up

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The battle between the state of California and the administration of United States President Donald Trump over auto emission standards entered a new stage after a panel of federal judges dismissed a lawsuit^[1] filed by California and several other states, and a group of auto manufacturers decided to support President Trump's proposals^[2] for less stringent emission standards.

The lawsuit filed by California argued for a review of the U.S. Environmental Protection Agency's (EPA) decision to re-open a determination that the agency had made in 2016 regarding auto emissions. The original determination deemed the calling for automakers to build vehicles that reach an average of 54.5 miles per gallon by 2025 appropriate. After taking office, President Trump announced^[3] he was "going to cancel" the original determination and "restore the originally scheduled mid-term review."

President Trump's decision to roll back the standards agreed upon by federal and state authorities in 2016 prompted the lawsuit. Here is the statement from the opinion on why the lawsuit was dismissed:

"Because the Revised Determination neither determines rights or obligations or imposes any legal consequences, nor alters the baseline upon which any departure from the currently effective 2012 emission standards must be explained, the Revised Determination is not judicially reviewable final action, and the petitions for review must be dismissed."

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