

# AG Kaul: Files lawsuit challenging Trump administration's reckless rollback of national clean car standards

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MADISON, Wis. – Attorney General Josh Kaul and a multistate coalition today filed a lawsuit challenging the Trump Administration's disastrous final rule rolling back the national Clean Car Standards. The previous standards required appropriate and feasible improvements in fuel economy and reductions in greenhouse gas emissions from passenger cars and light trucks. Since their introduction in 2010, these standards have saved consumers money, reduced harmful emissions, and helped protect the health of our communities. The Trump Administration's Safer Affordable Fuel-Efficient Vehicles (SAFE) rule stops this progress in its tracks, hurting the economy and public health at a time when the country can least afford it. In the lawsuit, the coalition will argue that the final rule unlawfully violates the Clean Air Act, the Energy Policy and Conservation Act, and the Administrative Procedure Act.

"The Trump Administration's failure to take this critical issue seriously makes it all the more important that states retain the authority to take action to fight climate change," said Attorney General Kaul. "The federal government shouldn't be trying to stop states from protecting clean air."

In 2010, the Environmental Protection Agency (EPA), the National Highway Transportation Safety Administration (NHTSA), the California Air Resources Board, and car manufacturers established a unified national program harmonizing greenhouse gas emission standards and fuel efficiency standards. Two years later,

the agencies extended the national program to model years 2017-2025 vehicles. As part of the program, California and the federal agencies agreed to undertake a midterm evaluation to determine if the greenhouse gas emission standards for model years 2022-2025 vehicles should be maintained or revised. In January 2017, the EPA completed the midterm evaluation and issued a final determination affirming that the existing standards were appropriate and would not be changed.

The following year, the Trump Administration took its first step toward dismantling the national Clean Car Standards by reversing the final determination with a new mid-term evaluation that alleged the standards were no longer appropriate or feasible. The Trump Administration later made its rollback proposal official, despite the fact that the auto industry was currently on track to meet or exceed the Clean Car Standards.

On March 31, 2020, the Trump Administration announced its final rule rolling back the Clean Car Standards. The rule takes aim at the corporate average fuel efficiency standards, requiring automakers to make only minimal improvements to fuel economy—on the order of 1.5 percent annually instead of the previously anticipated annual increase of approximately 5 percent. The rule also guts the requirements to reduce vehicles' greenhouse gas emissions, allowing hundreds of millions of metric tons of avoidable carbon emissions into our atmosphere over the next decades.

In the lawsuit, the coalition will argue that the Trump Administration's rollback of the national Clean Cars Standards is unlawful because, among other things:

- The EPA and NHTSA's rollbacks violate the statutory text and congressional mandates they are bound by; and
- The EPA and NHTSA improperly and unlawfully relied on an analysis riddled with errors, omissions, and unfounded assumptions in an attempt to justify their desired result.

Attorney General Kaul joins the attorneys general of California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, and the District of Columbia. The California Air Resources Board, the Cities of Los Angeles, New York,

San Francisco, and Denver, and the Counties of San Francisco and Denver also joined the coalition in filing the lawsuit.

[Relevant court filings are attached.](#)

<https://www.doj.state.wi.us/news-releases/ag-kaul-files-lawsuit-challenging-trump-administration%E2%80%99s-reckless-rollback-national>