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AMENDMENT

OFFERED BY **MR. Butterfield from North Carolina**
AND MR. Hill from Indiana

Page 341, line 4, through page 343, line 18, strike
subsections (a) and (b) and insert the following:

1 “(a) NEW MOTOR VEHICLES AND NEW MOTOR VE-
2 HICLE ENGINES.—(1) Pursuant to section 202(a) (1), by
3 December 31, 2010, the Administrator shall promulgate
4 standards applicable to emissions of greenhouse gases
5 from new heavy-duty motor vehicles or new heavy-duty
6 motor vehicle engines, excluding such motor vehicles cov-
7 ered by the Tier II standards (as established by the Ad-
8 ministrator as of the date of the enactment of this sec-
9 tion). The Administrator may revise these standards from
10 time to time.

11 “(2) Regulations issued under section 202(a)(1) ap-
12 plicable to emissions of greenhouse gases from new heavy-
13 duty motor vehicles or new heavy-duty motor vehicle en-
14 gines, excluding such motor vehicles covered by the Tier
15 II standards (as established by the Administrator as of
16 the date of the enactment of this section), shall contain
17 standards that reflect the greatest degree of emissions re-
18 duction achievable through the application of technology
19 which the Administrator determines will be available for

1 the model year to which such standards apply, giving ap-
2 propriate consideration to cost, energy, and safety factors
3 associated with the application of such technology. Any
4 such regulations shall take effect after such period as the
5 Administrator finds necessary to permit the development
6 and application of the requisite technology., and, at a min-
7 imum, shall apply for a period no less than 3 model years
8 beginning no earlier than the model year commencing 4
9 years after such regulations are promulgated.

10 “(3) Regulations issued under section 202(a)(1) ap-
11 plicable to emissions of greenhouse gases from new heavy-
12 duty motor vehicles or new heavy-duty motor vehicle en-
13 gines, excluding such motor vehicles covered by the Tier
14 II standards (as established by the Administrator as of
15 the date of the enactment of this section), shall supersede
16 and satisfy any and all of the rulemaking and compliance
17 requirements of section 32902(k) of title 49, United
18 States Code.

19 “(4) Other than as specifically set forth in paragraph
20 (3) of this subsection above, nothing in this section shall
21 affect or otherwise increase or diminish the authority of
22 the Secretary of Transportation to adopt regulations to
23 improve the overall fuel efficiency of the commercial goods
24 movement system.

1 “(b) NONROAD VEHICLES AND ENGINES.—(1) Pur-
2 suant to section 213(a)(4) and 213(a)(5), the Adminis-
3 trator shall identify those classes or categories of new
4 nonroad vehicles or engines, or combinations of such class-
5 es or categories, that, in the judgment of the Adminis-
6 trator, both contribute significantly to the total emissions
7 of greenhouse gases from nonroad engines and vehicles,
8 and provide the greatest potential for significant and cost-
9 effective reductions in emissions of greenhouse gases. The
10 Administrator shall promulgate standards applicable to
11 emissions of greenhouse gases from these ^{NEW} nonroad engines
12 or vehicles by December 31, 2012. The Administrator
13 shall also promulgate standards applicable to emissions of
14 greenhouse gases for such other classes and categories of
15 new nonroad vehicles and engines as the Administrator de-
16 termines appropriate and in the timeframe the Adminis-
17 trator determines appropriate. The Administrator shall
18 base such determination, among other factors, on the rel-
19 ative contribution of greenhouse gas emissions, and the
20 costs for achieving reductions, from such classes or cat-
21 egories of new nonroad engines and vehicles. The Adminis-
22 trator may revise these standards from time to time.

23 “(2) Standards under section 213(a)(4) and (a)(5)
24 applicable to emissions of greenhouse gases from those
25 classes or categories of new nonroad engines or vehicles

1 identified in the first sentence of paragraph (1) of this
2 subsection, shall achieve the greatest degree of emissions
3 reduction achievable based on the application of tech-
4 nology which the Administrator determines will be avail-
5 able at the time such standards take effect, taking into
6 consideration cost, energy, and safety factors associated
7 with the application of such technology. Any such regula-
8 tions shall take effect after such period as the Adminis-
9 trator finds necessary to permit the development and ap-
10 plication of the requisite technology.

11 “(3) For purposes of this section and standards
12 under section 213(a)(4) or 213(a)(5) applicable to emis-
13 sions of greenhouse gases, the term ‘nonroad engines and
14 vehicles’ shall include non-internal combustion engines
15 and the vehicles these engines power (such as electric en-
16 gines and electric vehicles), for those non-internal combus-
17 tion engines and vehicles which would be in the same cat-
18 egory and have the same uses as nonroad engines and ve-
19 hicles that are powered by internal combustion engines.”.

