

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5359

To amend the automobile fuel economy provisions of title 49, United States Code, to authorize the Secretary of Transportation to set fuel economy standards for passenger automobiles based on one or more vehicle attributes.

---

## IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2006

Mr. BARTON of Texas introduced the following bill; which was referred to the Committee on Energy and Commerce

---

## A BILL

To amend the automobile fuel economy provisions of title 49, United States Code, to authorize the Secretary of Transportation to set fuel economy standards for passenger automobiles based on one or more vehicle attributes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CAFE STANDARDS FOR PASSENGER AUTO-**  
4 **MOBILES.**

5 (a) AVERAGE FUEL ECONOMY STANDARDS FOR PAS-  
6 Senger Automobiles.—Section 32902 of title 49,  
7 United States Code, is amended—

1           (1) by amending subsection (c) to read as fol-  
2           lows:

3           “(c) AMENDING PASSENGER AUTOMOBILE STAND-  
4           ARDS.—

5           “(1) REGULATIONS.—The Secretary of Trans-  
6           portation may prescribe regulations amending the  
7           standard under subsection (b) of this section for a  
8           model year. If the Secretary does not prescribe regu-  
9           lations under this subsection for a given model year,  
10          the standard in effect for the preceding model year  
11          shall apply to such model year and each model year  
12          thereafter.

13          “(2) MAXIMUM FEASIBLE AVERAGE FUEL  
14          ECONOMY.—The standard prescribed under this sub-  
15          section shall be the maximum feasible average fuel  
16          economy level that the Secretary decides the manu-  
17          facturers can achieve in that model year. In amend-  
18          ing such standard for a model year, the Secretary,  
19          consistent with the Secretary’s authority under this  
20          section for prescribing standards, may establish a  
21          standard based on one or more vehicle attributes re-  
22          lated to fuel economy.”; and

23          (2) in subsection (g)(2), by striking “(and sub-  
24          mit the amendment to Congress when required  
25          under subsection (c)(2) of this section)”.

1 (b) EFFECTIVE DATE.—The amendments made by  
2 subsection (a) shall be effective on the date of enactment  
3 of this Act. The Secretary of Transportation shall pre-  
4 scribe regulations under section 32902(c) of title 49,  
5 United States Code, not later than December 30, 2008.  
6 Such regulations shall take into consideration standard  
7 automobile industry design and production processes.

8 (c) STUDY OF REQUIREMENT OF SEPARATE CAL-  
9 CULATIONS FOR DOMESTIC AND FOREIGN FLEETS.—

10 (1) STUDY.—The Administrator of the National  
11 Highway Traffic Safety Administration shall con-  
12 duct a study on the requirement of separate fuel  
13 economy calculations for automobiles manufactured  
14 domestically and not domestically contained in sec-  
15 tion 32904(b) of title 49, United States Code. Such  
16 study shall—

17 (A) assess the effects of such requirement  
18 on employment within the automobile industry  
19 in the United States;

20 (B) assess the effects of such requirement  
21 on overall passenger automobile fuel economy;

22 (C) determine the degree to which such re-  
23 quirement encourages manufacturers to alter  
24 their automobiles in order to meet automobile

1 fuel efficiency standards for both domestic and  
2 foreign manufactured automobiles;

3 (D) examine the effect of requirements of  
4 the North American Free Trade Agreement on  
5 the operation of such requirement;

6 (E) determine whether such requirement  
7 has resulted in additional costs to automobile  
8 consumers; and

9 (F) determine whether such requirement  
10 has promoted increased manufacturing of  
11 smaller, more fuel-efficient cars in the United  
12 States.

13 (2) REPORT.—Not later than 180 days after  
14 the date of enactment of this Act, the Administrator  
15 of the National Highway Traffic Safety Administra-  
16 tion shall transmit a report to Congress and to the  
17 Administrator of the Environmental Protection  
18 Agency on the conclusions of the study.

○