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CONTACT: Michael Burger, mburger@law.columbia.edu

Local Governments File Amicus Brief in Objection to EPA and DOT Vehicle Emissions Rule Just One Day After Biden Issues a Directive to Undo the Rule

As Cities Battle Coronavirus Pandemic, 15 Local Governments and Two City Associations Call Out Weak Trump Administration Auto Emissions Rule for Adding to Air Pollution and City Health Burdens

New York, NY — Today, the U.S. Conference of Mayors and the National League of Cities join 15 local governments from across the country in signing an [amicus brief](#) criticizing the Environmental Protection Agency's (EPA's) and U.S. Department of Transportation's (DOT) Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for failing to reduce dangerous air pollution and address climate change, increasing health and safety risks for Americans. The amicus brief's filing coincides with President Biden's first set of environmental and climate executive orders, coming just one day after a directive for the Biden-Harris administration's incoming EPA Administrator to considering revoking the SAFE rule and strengthen ambitious fuel economy standards that will spur cleaner cars throughout the U.S. auto market.

Almost two-thirds of the U.S. population are represented by networks that are speaking out on the dangers of this weak car pollution rule today. The cities that have signed and that are represented by the National League of Cities and US Conference of Mayors cover more than 19,000 cities, villages and towns across the country and a collective population of 218 million. Moreover, the brief signed today supports a petition for review of the SAFE Vehicles Rule filed in May 2020 and [joined](#) by 23 states, five cities and three air quality management districts.

The SAFE Vehicles rule is the Trump administration's rollback of the Obama-era changes to the CAFE standards, which set required fuel efficiency improvements for new cars and light-duty trucks. The Obama administration's clean car standards were predicted to reduce greenhouse gas emissions by as much as [570 million metric tons per year by 2030](#), equivalent to shutting down 140 coal plants for a whole year. The amicus brief points out that the SAFE rule frustrates city efforts to address climate change and advance environmental justice.

The SAFE Vehicles rule would result in [up to 1,000](#) more premature deaths per year compared to the Obama regulations due to the associated increase in air pollution, which exacerbates respiratory illness. This hurts America's most vulnerable communities, as low-income households and communities of color are more likely to live closer to power plants and highways. In addition, there is mounting evidence linking long-term exposure to air pollution with a greater risk of contracting respiratory illnesses, including the most severe impacts of COVID-19, which will only create a larger burden on our healthcare systems and reduce their capacity to tackle future health crises.

The brief, authored by the Sabin Center for Climate Change Law at Columbia Law School, makes four principal legal arguments on the shortcomings of the SAFE Vehicles rule:

1. EPA acted arbitrarily and capriciously by failing to consider the need to reduce transportation emissions to address climate change
2. EPA acted arbitrarily and capriciously by disregarding the Clean Air Act's purpose
3. The agencies failed to adequately consider local governments' reliance interests
4. The agencies' environmental justice analysis is arbitrary and capricious

“As the Biden administration understands, climate change is not a future problem,” said Sabin Center Executive Director Michael Burger. “It is a present crisis, and it is hitting cities and front-line communities across the United States and the world, and it is hitting them hard. This brief pushing back on the Trump administration 'dirty cars' rule explains exactly why this issue is front and center for cities nationwide.”

Read the [full brief](#).

Amicus Brief Signatories

The U.S. Conference of Mayors; The National League of Cities; Annapolis, Maryland; Boulder County, Colorado; Glen Rock, New Jersey; Harris County, Texas; Houston, Texas; Minneapolis, Minnesota; Pittsburgh, Pennsylvania; Providence, Rhode Island; Saint Paul, Minnesota; Salt Lake City, Utah; Santa Fe, New Mexico; and the Mayors of Durham, North Carolina; Fayetteville, Arkansas; Las Cruces, New Mexico; and Phoenix, Arizona.