

118TH CONGRESS
2D SESSION

S. 5038

To amend the Clean Air Act to eliminate a waiver under that Act, to eliminate an authorization for States to use new motor vehicle emission and new motor vehicle engine emissions standards identical to standards adopted in California, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 12, 2024

Mr. LEE (for himself, Mr. CRUZ, Mr. DAINES, Mrs. HYDE-SMITH, Ms. LUMMIS, and Mr. RICKETTS) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Clean Air Act to eliminate a waiver under that Act, to eliminate an authorization for States to use new motor vehicle emission and new motor vehicle engine emissions standards identical to standards adopted in California, and for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the “Stop California from
5 Advancing Regulatory Burden Act of 2024” or the “Stop
6 CARB Act of 2024”.

1 **SEC. 2. REPEAL OF WAIVERS OF STATE STANDARDS.**

2 (a) IN GENERAL.—Section 209 of the Clean Air Act
3 (42 U.S.C. 7543) is amended—

4 (1) by striking subsection (b);

5 (2) in subsection (c), by striking the last sen-
6 tence;

7 (3) in subsection (e)—

8 (A) by striking paragraph (2);

9 (B) in paragraph (1), by striking the un-
10 designated matter following subparagraph (B);

11 (C) by striking the subsection designation
12 and heading and all that follows through “No
13 State” in paragraph (1) and inserting the fol-
14 lowing:

15 “(e) PROHIBITION ON CERTAIN STATE STANDARDS
16 FOR NONROAD ENGINES OR VEHICLES.—No State”;

17 (D) by redesignating subparagraphs (A)
18 and (B) as paragraphs (1) and (2), respectively,
19 and indenting appropriately; and

20 (4) by redesignating subsections (c), (d), and
21 (e) as subsections (b), (c), and (d), respectively.

22 (b) EFFECT.—Notwithstanding any other provision
23 of law, as of the date of enactment of this Act—

24 (1) no waiver issued under subsection (b) of
25 section 209 of the Clean Air Act (42 U.S.C. 7543)
26 (as in effect on the day before the date of enactment

1 of this Act) before the date of enactment of this Act
2 shall have any force or effect; and

3 (2) any application for a waiver under that sub-
4 section (as in effect on the day before the date of
5 enactment of this Act) pending before the Adminis-
6 trator of the Environmental Protection Agency on
7 the date of enactment of this Act shall be considered
8 denied.

9 (c) CONFORMING AMENDMENTS.—

10 (1) Section 202(i)(2)(A) of the Clean Air Act
11 (42 U.S.C. 7521(i)(2)(A)) is amended, in the matter
12 preceding clause (i), in the first sentence, by striking
13 “, taking into consideration the waiver provisions of
14 section 209(b)”.

15 (2) Section 211 of the Clean Air Act (42 U.S.C.
16 7545) is amended—

17 (A) in subsection (c)(4)—

18 (i) in subparagraph (A), in the matter
19 preceding clause (i), by striking “or (C)”;

20 (ii) by striking subparagraph (B); and

21 (iii) by redesignating subparagraph
22 (C) as subparagraph (B);

23 (B) in subsection (k)(1)(B)(ii), by striking
24 “(other than a refiner or importer in a State
25 that has received a waiver under section 209(b)

1 with respect to gasoline produced for use in
2 that State)”; and

3 (C) in subsection (o)(6)—

4 (i) by striking subparagraph (E);

5 (ii) in subparagraph (F), by striking
6 “any State that has received a waiver
7 under section 209(b) or”; and

8 (iii) by redesignating subparagraph
9 (F) as subparagraph (E).

10 (3) Section 241(2) of the Clean Air Act (42
11 U.S.C. 7581(2) is amended, in the second sentence,
12 by striking “(or any CARB” and all that follows
13 through “section 243(e)”.

14 (4) Section 242(b) of the Clean Air Act (42
15 U.S.C. 7582(b)) is amended by striking “except as
16 provided in section 244 with respect to administra-
17 tion and enforcement, and” each place it appears.

18 (5) Section 243 of the Clean Air Act (42 U.S.C.
19 7583) is amended by striking subsections (e), (f),
20 and (g).

21 (6) Section 244 of the Clean Air Act (42 U.S.C.
22 7584) is repealed.

23 (7) Section 247(b) of the Clean Air Act (42
24 U.S.C. 7587(b)) is amended, in the second sentence,

1 by striking “section 242, 243, 244,” and inserting
2 “sections 242, 243,”.

3 **SEC. 3. REPEAL OF AUTHORIZATION TO USE CALIFORNIA**
4 **NEW MOTOR VEHICLE EMISSION STANDARDS.**

5 (a) IN GENERAL.—Section 177 of the Clean Air Act
6 (42 U.S.C. 7507) is repealed.

7 (b) CONFORMING AMENDMENT.—Section 249(e)(3)
8 of the Clean Air Act (42 U.S.C. 7589(e)(3)) is amended
9 by striking the second sentence.

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