

107TH CONGRESS
1ST SESSION

H. R. 2614

To amend title 49, United States Code, to improve highway safety by requiring reductions in the aggressivity of light trucks; to extend average fuel economy standards to all light trucks up to 10,000 pounds gross vehicle weight; to require phased increases in the average fuel economy standards for passenger automobiles and light trucks; to improve the accuracy of average fuel economy testing and public information regarding average fuel economy; and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2001

Mr. GEORGE MILLER of California (for himself, Ms. ESHOO, Mr. NADLER, Mr. SANDERS, Mr. SCHIFF, Ms. PELOSI, Mr. McDERMOTT, Ms. LEE, Mr. BLAGOJEVICH, Mr. FILNER, Mr. HOLT, Mr. HINCHEY, Mr. TIERNEY, and Ms. WOOLSEY) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 49, United States Code, to improve highway safety by requiring reductions in the aggressivity of light trucks; to extend average fuel economy standards to all light trucks up to 10,000 pounds gross vehicle weight; to require phased increases in the average fuel economy standards for passenger automobiles and light trucks; to improve the accuracy of average fuel economy testing

and public information regarding average fuel economy;
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 “Safety and Fuel Econ-
5 omy (SAFE) Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds and declares the following:

8 (1) Automobile fuel economy standards have
9 played an important role in mitigating the increased
10 consumption of gasoline and have resulted in lower
11 fuel costs to consumers.

12 (2) Such standards and the successful response
13 of automobile manufacturers to those standards
14 have been very effective in increasing automobile
15 fuel efficiency, resulting in a near doubling of the
16 passenger automobile fleet fuel economy between
17 1975 and the present.

18 (3) In recent years, the average automobile fuel
19 economy of the fleets of many automobile manufac-
20 turers has actually declined, while the size and
21 horsepower of the fleets have increased. Overall,
22 automobile and light truck average fuel economy in
23 2000 was at its lowest in 20 years.

1 (4) Several Government studies agree that in-
2 creased fuel efficiency is possible utilizing currently
3 available technology and without significant changes
4 in the size, mix, or performance of the fleet of auto-
5 mobiles. In addition, the safety of the current fleet
6 of automobiles can be maintained and potentially im-
7 proved through improved safety features.

8 (5) With appropriate lead time, and by utilizing
9 technology currently in production, passenger auto-
10 mobile average fuel economy of between 38 and 45
11 miles per gallon has been estimated by various ex-
12 perts to be feasible without significant changes in
13 automobile size or performance. When technology
14 currently in development becomes available, even
15 higher levels of average fuel economy are possible.

16 (6) Improved automobile average fuel economy
17 standards can reduce carbon dioxide emissions, im-
18 prove air quality, and potentially mitigate against
19 global warming.

20 **SEC. 3. IMPROVING CRASH SAFETY OF AUTOMOBILES AND**
21 **LIGHT TRUCKS IN COLLISIONS.**

22 (a) IN GENERAL.—Subchapter II of chapter 301 of
23 title 49, United States Code, is amended by adding at the
24 end the following:

1 **“§ 30128. Crash safety of automobiles and light trucks**
2 **in collisions**

3 “(a) MOTOR VEHICLE SAFETY STANDARD.—

4 “(1) NOTICE OF PROPOSED RULEMAKING.—Not
5 later than June 1, 2002, the Secretary of Transpor-
6 tation shall issue a notice of proposed rulemaking to
7 prescribe a new Federal motor vehicle safety stand-
8 ard to improve the crash safety of automobiles and
9 light trucks in collisions.

10 “(2) CRAGG INDEX.—The new standard pre-
11 scribed under this subsection shall include a Crash
12 Aggressivity index (in this section referred to as a
13 ‘CRAGG index’) that—

14 “(A) measures the aggressivity of a motor
15 vehicle;

16 “(B) takes into account the stiffness,
17 structure height, and mass of a vehicle; and

18 “(C) substantially improves the present
19 crash safety of automobiles and light trucks by
20 reducing the aggressivity of such vehicles.

21 “(3) FINAL RULE.—Notwithstanding any other
22 provision of law, the Secretary shall complete a rule-
23 making to prescribe such a standard by issuing, not
24 later than June 1, 2003, a final rule with any provi-
25 sion the Secretary considers appropriate, consistent

1 with this subsection and the requirements of section
2 30111 of title 49, United States Code.

3 “(4) EFFECTIVE DATE.—The Secretary shall
4 specify in the final rule issued under this subsection
5 that the rule—

6 “(A) shall become effective in phases as
7 rapidly as practicable, beginning September 1,
8 2005; and

9 “(B) shall be fully effective for all vehicles
10 identified in section 30127(b) of title 49,
11 United States Code, that are manufactured on
12 and after September 1, 2009.

13 “(b) DISCLOSURE OF CRAGG INDEX RATINGS TO
14 PURCHASERS.—

15 “(1) DISCLOSURE BY MANUFACTURERS.—The
16 Secretary of Transportation shall issue regulations
17 that require that motor vehicle manufacturers—

18 “(A) report CRAGG index ratings for each
19 model year after model year 2005;

20 “(B) submit the first such report by no
21 later than August 1, 2005, and submit such re-
22 ports by August 1 of each year thereafter; and

23 “(C) conspicuously post on each new motor
24 vehicle at the point of sale the CRAGG index

1 rating for the vehicle, beginning September 1,
2 2005.

3 “(2) DISCLOSURE BY SECRETARY.—The Sec-
4 retary shall also post on the Department of Trans-
5 portation’s Internet website, beginning September 1,
6 2005—

7 “(A) comparative CRAGG index ratings,
8 by make and model; and

9 “(B) an identification of the 10 motor ve-
10 hicles with the greatest aggressivity, by CRAGG
11 index rating, each year.

12 “(c) ANNUAL REPORT.—The Secretary of Transpor-
13 tation shall annually report to the Congress on January
14 1 of each year beginning in 2004 on the progress made
15 in improving the crash safety of automobiles and light
16 trucks in collisions. Such report shall address the com-
17 parative improvement in the aggressivity of new vehicles
18 as measured by the CRAGG index and the number of fa-
19 talities caused by the aggressivity of light trucks and sport
20 utility vehicles in collisions with other vehicles.

21 “(d) REVISION OF STANDARD.—On September 1,
22 2007, the Secretary of Transportation shall issue an ad-
23 vanced notice of proposed rulemaking to determine if sub-
24 stantial improvement has been made in the crash safety
25 of automobiles and light trucks that are subject to the

1 Federal motor vehicle safety standard prescribed under
2 subsection (a). If substantial improvement has not been
3 made, the Secretary shall issue a notice of proposed rule-
4 making by March 1, 2008, to revise such standard to fur-
5 ther increase crash comparability. If initiated, the Sec-
6 retary shall complete the rulemaking required by this sub-
7 section by issuing a new final rule not later than March
8 1, 2009. The Secretary shall specify in the rule that the
9 rule shall become effective in phases as rapidly as prac-
10 ticable, beginning September 1, 2010. The rule shall be-
11 come fully effective for all vehicles identified in section
12 30127(b), title 49, United States Code, that are manufac-
13 tured on and after September 1, 2012.

14 “(e) PHASED-IN REQUIREMENTS.—

15 “(1) IN GENERAL.—If the Secretary of Trans-
16 portation fails to meet any of the deadlines in sub-
17 sections (a) through (d) of this section with respect
18 to any motor vehicle, motor vehicles with respect to
19 which such deadline applied having a gross vehicle
20 weight rating less than 10,000 pounds that are man-
21 ufactured by each manufacturer must satisfy the re-
22 quirements described in paragraph (2) in accordance
23 with the following phase-in schedule:

24 “(A) 20 percent of such vehicles manufac-
25 tured by a manufacturer in the first year after

1 the date the deadline is not met must satisfy
2 such requirements.

3 “(B) 40 percent of such vehicles manufac-
4 tured by a manufacturer in the second year
5 after the date the deadline is not met must sat-
6 isfy such requirements.

7 “(C) 60 percent of such vehicles manufac-
8 tured by a manufacturer in the third year after
9 the date the deadline is not met must satisfy
10 such requirements.

11 “(D) 80 percent of such vehicles manufac-
12 tured by a manufacturer in the fourth year
13 after deadline is not met must satisfy such re-
14 quirements.

15 “(E) All such vehicles manufactured by a
16 manufacturer after the fourth year after the
17 date the deadline is not met must satisfy such
18 requirements.

19 “(2) REQUIREMENTS.—The requirements re-
20 ferred to in paragraph (1) are the following, in the
21 frontal barrier crash test defined in section 571.208
22 S5.1 of title 49, Code of Federal Regulations, con-
23 ducted with a load cell barrier:

24 “(A) The height of the center of force as
25 determined by a 30 mile per hour crash into a

1 load cell barrier shall not be greater than 22
2 inches (55 centimeters).

3 “(B) For any vehicle with a curb weight
4 greater than 3,500 pounds, the dynamic stiff-
5 ness shall not be greater than the number de-
6 termined by multiplying—

7 “(i) 50,000 pounds; by

8 “(ii) the number determined by
9 dividing—

10 “(I) 33,000; by

11 “(II) the number determined by
12 subtracting the weight of the vehicle
13 (in pounds) from 20,000.

14 “(f) ADVISORY COMMITTEES.—The Secretary of
15 Transportation shall ensure that—

16 “(1) any Federal advisory committee, task
17 force, or other entity concerned with vehicle compat-
18 ibility includes a balance of representatives from
19 consumer and safety organizations, insurers, manu-
20 facturers, and suppliers; and

21 “(2) such consumer and safety organization
22 representatives are selected from among organiza-
23 tions that do not receive any significant funding
24 from motor vehicle manufacturers and their affili-
25 ates.

1 “(g) DEFINITIONS.—

2 “(1) AUTOMOBILE; LIGHT TRUCK.—Each of the
3 terms ‘automobile’ and ‘light truck’ has the meaning
4 set forth in section 32901 of this title.

5 “(2) AGGRESSIVITY.—The term ‘aggressivity’
6 means the degree to which the front of a motor vehi-
7 cle, in a collision with another motor vehicle—

8 “(A) inflicts damage to the other motor ve-
9 hicle; and

10 “(B) causes injury to the occupants of the
11 other motor vehicle.”.

12 (b) CLERICAL AMENDMENT.—The table of sections
13 at the beginning of chapter 301 of title 49, United States
14 Code, is amended by inserting after the item relating to
15 section 30127 the following:

“30128. Crash safety of automobiles and light trucks in collisions.”.

16 **SEC. 4. INCREASED AVERAGE FUEL ECONOMY STANDARDS**
17 **FOR PASSENGER AUTOMOBILES AND LIGHT**
18 **TRUCKS.**

19 (a) INCREASED STANDARDS.—Section 32902 of title
20 49, United States Code, is amended—

21 (1) in subsection (a)—

22 (A) by striking “NON-PASSENGER AUTO-
23 MOBILES.—” and inserting “PRESCRIPTION OF
24 STANDARDS BY REGULATION.—”; and

1 (B) by striking “(except passenger auto-
2 mobiles)” and inserting “(except passenger
3 automobiles and light trucks)”; and

4 (2) by amending subsection (b) to read as fol-
5 lows:

6 “(b) STANDARDS FOR PASSENGER AUTOMOBILES
7 AND LIGHT TRUCKS.—

8 “(1) PASSENGER AUTOMOBILES, GENERALLY.—

9 The average fuel economy standard for passenger
10 automobiles manufactured by a manufacturer—

11 “(A) after model year 2003 shall be 30.0
12 miles per gallon; and

13 “(B) after model year 2005 shall be 32.5
14 miles per gallon.

15 “(2) LIGHT TRUCKS.—The average fuel econ-
16 omy standard for light trucks manufactured by a
17 manufacturer—

18 “(A) after model year 2003 shall be 23.0
19 miles per gallon; and

20 “(B) after model year 2005 shall be 25.5
21 miles per gallon.

22 “(3) COMBINED STANDARD.—The average fuel
23 economy standard for the combination of passenger
24 automobiles and light trucks manufactured by a
25 manufacturer—

1 “(A) after model year 2007 shall be 32.0
2 miles per gallon;

3 “(B) after model year 2009 shall be 36.0
4 miles per gallon; and

5 “(C) after model year 2011 shall be 40.0
6 miles per gallon.”.

7 (b) DEFINITION OF LIGHT TRUCK.—

8 (1) IN GENERAL.—Section 32901(a) of title 49,
9 United States Code, is amended by adding at the
10 end the following:

11 “(17) ‘light truck’ means an automobile that
12 the Secretary decides by regulation—

13 “(A) is manufactured primarily for trans-
14 porting not more than 10 individuals;

15 “(B) is rated at not more than 8,500
16 pounds gross vehicle weight; and

17 “(C) is not a passenger automobile.”.

18 (2) DEADLINE FOR REGULATIONS.—The Sec-
19 retary of Transportation—

20 (A) shall issue proposed regulations imple-
21 menting the amendment made by this sub-
22 section by not later than 6 months after the
23 date of the enactment of this Act; and

1 (B) shall issue final regulations imple-
2 menting such amendment by not later than one
3 year after the date of the enactment of this Act.

4 (c) CONFORMING AMENDMENTS.—(1) Section
5 32902(c) of title 49, United States Code, is amended—

6 (A) in paragraph (1), by striking “the stand-
7 ard” and inserting “a standard”; and

8 (B) in paragraph (2), by striking “increases the
9 standard above 27.5 miles per gallon, or decreases
10 the standard below 26.0 miles per gallon,” and in-
11 sserting “increases the standard above the standard
12 that would otherwise apply under subsection (b), or
13 decreases the standard by more than 1.5 miles per
14 gallon below the standard that would otherwise
15 apply under subsection (b),”.

16 (d) APPLICATION.—The amendments made by this
17 section shall apply beginning on January 1, 2006.

18 (e) APPLICABILITY OF EXISTING STANDARDS.—This
19 section does not affect the application of section 32902
20 of title 49, United States Code, to passenger automobiles
21 and light trucks manufactured before model year 2007.

22 **SEC. 5. FUEL ECONOMY STANDARDS FOR AUTOMOBILES UP**
23 **TO 10,000 POUNDS GROSS VEHICLE WEIGHT.**

24 (a) VEHICLES DEFINED AS AUTOMOBILES.—Section
25 32901(a)(3) of title 49, United States Code, is amended

1 by striking “6,000” each place it appears and inserting
2 “8,500”.

3 (b) APPLICATION DATE.—The amendment made by
4 subsection (a) shall apply beginning on January 1, 2006.

5 **SEC. 6. IMPROVEMENT OF CALCULATION OF AVERAGE**
6 **FUEL ECONOMY.**

7 (a) IN GENERAL.—Section 32904(a) of title 49,
8 United States Code, is amended—

9 (1) by inserting “(1)” before the first sentence;

10 (2) in paragraph (1) (as so designated), in the
11 second sentence by inserting “and subject to para-
12 graph (2) of this subsection,” after “of this title,”;
13 and

14 (3) by adding at the end the following:

15 “(2) Calculations and testing procedures prescribed
16 by the Secretary under paragraph (1) shall ensure that
17 average fuel economy calculated under this subsection—

18 “(A) reflects, and is determined under condi-
19 tions that include, actual driving conditions; and

20 “(B) is not an optimized number that results
21 solely from tests performed under laboratory condi-
22 tions.”.

23 (b) APPLICATION.—The amendment made by sub-
24 section (a) shall apply with respect to automobiles manu-
25 factured after model year 2005.

1 (c) REGULATIONS.—The Administrator of the Envi-
2 ronmental Protection Agency shall issue regulations that
3 implement the amendments made by subsection (a) by not
4 later than December 31, 2002.

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