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## S.2025

### Vehicle and Fuel Choices for American Security Act (Introduced in Senate)

#### TITLE I--OIL SAVINGS PLAN AND REQUIREMENTS

#### SEC. 101. OIL SAVINGS TARGET AND ACTION PLAN.

Not later than 270 days after the date of enactment of this Act, the Director of the Office of Management and Budget (referred to in this title as the `Director') shall publish in the Federal Register an action plan consisting of--

(1) a list of requirements proposed or to be proposed pursuant to section 102 that are authorized to be issued under law in effect on the date of enactment of this Act, and this Act, that will be sufficient, when taken together, to save from the baseline determined under section 105--

(A) 2,500,000 barrels of oil per day on average during calendar year 2016;

(B) 7,000,000 barrels of oil per day on average during calendar year 2026; and

(C) 10,000,000 barrels per day on average during calendar year 2031; and

(2) a Federal Government-wide analysis of--

(A) the expected oil savings from the baseline to be accomplished by each requirement; and

(B) whether all such requirements, taken together, will achieve the oil savings specified in this section.

#### SEC. 102. STANDARDS AND REQUIREMENTS.

(a) In General- On or before the date of publication of the action plan under section 101, the Secretary of Energy, the Secretary of Transportation, the Secretary of Defense, the Secretary of Agriculture, the Administrator of the Environmental Protection Agency, and the head of any other agency the President determines appropriate shall each propose, or issue a notice of intent to propose, regulations establishing each standard or other requirement listed in the action plan that is under the jurisdiction of the respective agency using authorities described in subsection (b).

(b) Authorities- The head of each agency described in subsection (a) shall use to carry out this section--

(1) any authority in existence on the date of enactment of this Act (including regulations); and

(2) any new authority provided under this Act (including an amendment made by this Act).

(c) Final Regulations- Not later than 18 months after the date of enactment of this Act, the head of each agency described in subsection (a) shall promulgate final versions of the regulations required under this section.

(d) Agency Analyses- Each proposed and final regulation promulgated under this section shall--

(1) be designed to achieve at least the oil savings resulting from the regulation under the action plan published under section 101; and

(2) be accompanied by an analysis by the applicable agency describing the manner in which the regulation will promote the achievement of the oil savings from the baseline determined under section 105.

## **SEC. 103. INITIAL EVALUATION.**

(a) In General- Not later than 2 years after the date of enactment of this Act, the Director shall publish in the Federal Register a Federal Government-wide analysis of the oil savings achieved from the baseline established under section 105.

(b) Inadequate Oil Savings- If the oil savings are less than the targets established under section 101, simultaneously with the analysis required under subsection (a)--

(1) the Director shall publish a revised action plan that is adequate to achieve the targets; and

(2) the Secretary of Energy, the Secretary of Transportation, and the Administrator shall propose new or revised regulations under subsections (a), (b), and (c), respectively, of section 102.

(c) Final Regulations- Not later than 180 days after the date on which regulations are proposed under subsection (b)(2), the Secretary of Energy, the Secretary of Transportation, and the Administrator shall promulgate final versions of those regulations.

## **SEC. 104. REVIEW AND UPDATE OF ACTION PLAN.**

(a) Review- Not later than January 1, 2011, and every 3 years thereafter, the Director shall submit to Congress, and publish, a report that--

(1) evaluates the progress achieved in implementing the oil savings targets established under section 101;

(2) analyzes the expected oil savings under the standards and requirements

established under this Act and the amendments made by this Act; and

(3)(A) analyzes the potential to achieve oil savings that are in addition to the savings required by section 101; and

(B) if the President determines that it is in the national interest, establishes a higher oil savings target for calendar year 2017 or any subsequent calendar year.

(b) Inadequate Oil Savings- If the oil savings are less than the targets established under section 101, simultaneously with the report required under subsection (a)--

(1) the Director shall publish a revised action plan that is adequate to achieve the targets; and

(2) the Secretary of Energy, the Secretary of Transportation, and the Administrator shall propose new or revised regulations under subsections (a), (b), and (c), respectively, of section 102.

(c) Final Regulations- Not later than 180 days after the date on which regulations are proposed under subsection (b)(2), the Secretary of Energy, the Secretary of Transportation, and the Administrator shall promulgate final versions of those regulations.

## **SEC. 105. BASELINE AND ANALYSIS REQUIREMENTS.**

In performing the analyses and promulgating proposed or final regulations to establish standards and other requirements necessary to achieve the oil savings required by this title, the Secretary of Energy, the Secretary of Transportation, the Secretary of Defense, the Secretary of Agriculture, the Administrator of the Environmental Protection Agency, and the head of any other agency the President determines to be appropriate shall--

(1) determine oil savings as the projected reduction in oil consumption from the baseline established by the reference case contained in the report of the Energy Information Administration entitled 'Annual Energy Outlook 2005';

(2) determine the oil savings projections required on an annual basis for each of calendar years 2009 through 2026; and

(3) account for any overlap among the standards and other requirements to ensure that the projected oil savings from all the promulgated standards and requirements, taken together, are as accurate as practicable.

## **TITLE II--FUEL EFFICIENT VEHICLES FOR THE 21ST CENTURY**

### **SEC. 201. TIRE EFFICIENCY PROGRAM.**

(a) Standards for Tires Manufactured for Interstate Commerce- Section 30123 of title 49, United States Code, is amended--

(1) in subsection (b)--

(A) in the first sentence, by striking 'The Secretary' and inserting the following:

` (1) UNIFORM QUALITY GRADING SYSTEM-

` (A) IN GENERAL- The Secretary';

(B) in the second sentence, by striking `The Secretary' and inserting the following:

` (2) NOMENCLATURE AND MARKETING PRACTICES- The Secretary';

(C) in the third sentence, by striking `A tire standard' and inserting the following:

` (3) EFFECT OF STANDARDS AND REGULATIONS- A tire standard'; and

(D) in paragraph (1), as designated by subparagraph (A), by adding at the end the following:

` (B) INCLUSION- The grading system established pursuant to subparagraph (A) shall include standards for rating the fuel efficiency of tires designed for use on passenger cars and light trucks.'; and

(2) by adding at the end the following:

` (d) National Tire Efficiency Program-

` (1) DEFINITION- In this subsection, the term `fuel economy', with respect to a tire, means the extent to which the tire contributes to the fuel economy of the motor vehicle on which the tire is mounted.

` (2) PROGRAM- The Secretary shall develop and carry out a national tire fuel efficiency program for tires designed for use on passenger cars and light trucks.

` (3) REQUIREMENTS- Not later than March 31, 2008, the Secretary shall issue regulations, which establish--

` (A) policies and procedures for testing and labeling tires for fuel economy to enable tire buyers to make informed purchasing decisions about the fuel economy of tires;

` (B) policies and procedures to promote the purchase of energy efficient replacement tires, including purchase incentives, website listings on the Internet, printed fuel economy guide booklets, and mandatory requirements for tire retailers to provide tire buyers with fuel efficiency information on tires; and

` (C) minimum fuel economy standards for tires.

` (4) MINIMUM FUEL ECONOMY STANDARDS- In promulgating minimum fuel economy standards for tires, the Secretary shall design standards that--

` (A) ensure, in conjunction with the requirements under paragraph (3)(B), that the average fuel economy of replacement tires is not less than the average fuel economy of tires sold as original equipment;

- ` (B) secure the maximum technically feasible and cost-effective fuel savings;
- ` (C) do not adversely affect tire safety;
- ` (D) incorporate the results from--
  - ` (i) laboratory testing; and
  - ` (ii) to the extent appropriate and available, on-road fleet testing programs conducted by manufacturers; and
- ` (E) do not adversely affect efforts to manage scrap tires.

` (5) APPLICABILITY- The policies, procedures, and standards developed under paragraph (3) shall apply to all tire types and models regulated under the uniform tire quality grading standards in section 575.104 of title 49, Code of Federal Regulations (or a successor regulation).

` (6) REVIEW-

- ` (A) IN GENERAL- Not less than once every 3 years, the Secretary shall--
  - ` (i) review the minimum fuel economy standards in effect for tires under this subsection; and
  - ` (ii) subject to subparagraph (B), revise the standards as necessary to ensure compliance with standards described in paragraph (4).
- ` (B) LIMITATION- The Secretary may not reduce the average fuel economy standards applicable to replacement tires.

` (7) NO PREEMPTION OF STATE LAW- Nothing in this section shall be construed to preempt any provision of State law relating to higher fuel economy standards applicable to replacement tires designed for use on passenger cars and light trucks.

` (8) EXCEPTIONS- Nothing in this section shall apply to--

- ` (A) a tire or group of tires with the same stock keeping unit, plant, and year, for which the volume of tires produced or imported is less than 15,000 annually;
- ` (B) a deep tread, winter-type snow tire, space-saver tire, or temporary use spare tire;
- ` (C) a tire with a normal rim diameter of 12 inches or less;
- ` (D) a motorcycle tire; or
- ` (E) a tire manufactured specifically for use in an off-road motorized recreational vehicle.'

(b) Conforming Amendment- Section 30103(b)(1) of title 49, United States Code, is amended by striking 'When' and inserting 'Except as provided in section 30123(d), if'.

(c) Time for Implementation- Beginning not later than March 31, 2008, the Secretary of Transportation shall administer the national tire fuel efficiency program established under section 30123(d) of title 49, United States Code, in accordance with the policies, procedures, and standards developed under section 30123(d)(3) of such title.

(d) Authorization of Appropriations- There are authorized to be appropriated, for each of fiscal years 2007 through 2011, such sums as may be necessary to carry out section 30123(d) of title 49, United States Code, as added by subsection (a).

## **SEC. 202. REDUCTION OF SCHOOL BUS IDLING.**

(a) Statement of Policy- Congress encourages each local educational agency (as defined in section 9101(26) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(26))) that receives Federal funds under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) to develop a policy to reduce the incidence of school bus idling at schools while picking up and unloading students.

(b) Authorization of Appropriations- There are authorized to be appropriated to the Administrator of the Environmental Protection Agency, working in coordination with the Secretary of Education, \$5,000,000 for each of fiscal years 2007 through 2012 for use in educating States and local education agencies about--

- (1) benefits of reducing school bus idling; and
- (2) ways in which school bus idling may be reduced.

## **SEC. 203. FUEL EFFICIENCY FOR HEAVY DUTY TRUCKS.**

Part C of subtitle VI of title 49, United States Code, is amended by inserting after chapter 329 the following:

### **` CHAPTER 330--HEAVY DUTY VEHICLE FUEL ECONOMY STANDARDS**

#### **` Chapter 330--Heavy Duty Vehicle Fuel Economy Standards**

- ` Sec.
- ` 33001. Purpose and policy.
- ` 33002. Definition.
- ` 33003. Testing and assessment.
- ` 33004. Standards.
- ` 33005. Authorization of appropriations.

#### **` Sec. 33001. Purpose and policy**

` The purpose of this chapter is to reduce petroleum consumption by heavy duty motor vehicles.

**`Sec. 33002. Definition**

`In this chapter, the term `heavy duty motor vehicle'--

`(1) means a vehicle having a gross vehicle weight rating of at least 10,000 pounds that is driven or drawn by mechanical power and manufactured primarily for use on public streets, roads, and highways; and

`(2) does not include a vehicle operated only on a rail line.

**`Sec. 33003. Testing and assessment**

`(a) General Requirements- The Administrator of the Environmental Protection Agency (referred to in this section as the `Administrator') shall develop and coordinate a national testing and assessment program to--

`(1) determine the fuel economy of heavy duty vehicles; and

`(2) assess the fuel efficiency attainable through available technology.

`(b) Testing- The Administrator shall--

`(1) design a National testing program to assess the fuel economy of heavy duty vehicles (based on the program for light duty vehicles); and

`(2) implement the program described in paragraph (1) not later than 18 months after the date of enactment of this chapter.

`(c) Assessment- The Administrator shall consult with the Secretary of Transportation on the assessment of available technologies to enhance the fuel efficiency of heavy duty vehicles to ensure that vehicle use and needs are considered appropriately in the assessment.

`(d) Reporting- The Administrator shall--

`(1) not later than 2 years after the date of enactment of this chapter, submit a report to Congress regarding the results of the assessment of available technologies to improve the fuel efficiency of heavy duty vehicles.

`(2) submit a report to Congress, at least biannually, that addresses the fuel economy of heavy duty vehicles; and

**`Sec. 33004. Standards**

`(a) General Requirements- Not later than 18 months after completing the testing and assessments under section 33003, the Secretary of Transportation shall prescribe average heavy duty vehicle fuel economy standards. Each standard shall be the maximum feasible average fuel economy level that the Secretary decides that manufacturers can achieve in that model year. The Secretary may prescribe separate standards for different classes of heavy duty motor vehicles. The standards for each model year shall be completed not later

than 18 months before the beginning of each model year.

`(b) Considerations and Consultation- In determining maximum feasible average fuel economy, the Secretary shall consider--

- `(1) relevant available heavy duty motor vehicle fuel consumption information;
- `(2) technological feasibility;
- `(3) economic practicability;
- `(4) the desirability of reducing United States dependence on oil;
- `(5) the effects of average fuel economy standards on vehicle safety;
- `(6) the effects of average fuel economy standards on levels of employment and competitiveness of the heavy truck manufacturing industry ; and
- `(7) the extent to which the standard will carry out the purpose described in section 33001.

`(c) Cooperation- The Secretary may advise, assist, and cooperate with departments, agencies, and instrumentalities of the United States Government, States, and other public and private agencies in developing fuel economy standards for heavy duty motor vehicles.

`(d) 5-YEAR PLAN FOR TESTING STANDARDS- The Secretary shall establish, periodically review, and continually update a 5-year plan for testing heavy duty motor vehicle fuel economy standards prescribed under this chapter. In developing and establishing testing priorities, the Secretary shall consider factors the Secretary considers appropriate, consistent with the purpose described in section 33001 and the Secretary's other duties and powers under this chapter.

#### **`Sec. 33005. Authorization of appropriations**

`There are authorized to be appropriated, for each of fiscal years 2007 through 2011, such sums as may be necessary to carry out this chapter.'

### **SEC. 204. NEAR-TERM VEHICLE TECHNOLOGY PROGRAM.**

(a) Purposes- The purposes of this section are--

- (1) to enable and promote, in partnership with industry, comprehensive development, demonstration, and commercialization of a wide range of electric drive components, systems, and vehicles using diverse electric drive transportation technologies;
- (2) to make critical public investments to help private industry, institutions of higher education, National Laboratories, and research institutions to expand innovation, industrial growth, and jobs in the United States;
- (3) to expand the availability of the existing electric infrastructure for fueling light duty transportation and other on-road and nonroad vehicles that are using petroleum and are mobile sources of emissions--

(A) including the more than 3,000,000 reported units (such as electric forklifts, golf carts, and similar nonroad vehicles) in use on the date of enactment of this Act; and

(B) with the goal of enhancing the energy security of the United States, reduce dependence on imported oil, and reduce emissions through the expansion of grid supported mobility;

(4) to accelerate the widespread commercialization of all types of electric drive vehicle technology into all sizes and applications of vehicles, including commercialization of plug-in hybrid electric vehicles and plug-in hybrid fuel cell vehicles; and

(5) to improve the energy efficiency of and reduce the petroleum use in transportation.

(b) Definitions- In this section:

(1) BATTERY- The term `battery' means an energy storage device used in an on-road or nonroad vehicle powered in whole or in part using an off-board or on-board source of electricity.

(2) ELECTRIC DRIVE TRANSPORTATION TECHNOLOGY- The term `electric drive transportation technology' means--

(A) vehicles that use an electric motor for all or part of their motive power and that may or may not use off-board electricity, including battery electric vehicles, fuel cell vehicles, engine dominant hybrid electric vehicles, plug-in hybrid electric vehicles, plug-in hybrid fuel cell vehicles, and electric rail; or

(B) equipment relating to transportation or mobile sources of air pollution that use an electric motor to replace an internal combustion engine for all or part of the work of the equipment, including corded electric equipment linked to transportation or mobile sources of air pollution.

(3) ENGINE DOMINANT HYBRID ELECTRIC VEHICLE- The term `engine dominant hybrid electric vehicle' means an on-road or nonroad vehicle that--

(A) is propelled by an internal combustion engine or heat engine using--

(i) any combustible fuel;

(ii) an on-board, rechargeable storage device; and

(B) has no means of using an off-board source of electricity.

(4) FUEL CELL VEHICLE- The term `fuel cell vehicle' means an on-road or nonroad vehicle that uses a fuel cell (as defined in section 3 of the Spark M.

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