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NEWS FOR IMMEDIATE RELEASE

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Wisconsin Department of Justice Joins Petition Challenging Trump Administration's Rollback of Fuel Economy Standards

MADISON, Wis. — The Wisconsin Department of Justice (DOJ) today joined a coalition of 26 states, counties, and cities in filing a [petition for review](#) against the National Highway Traffic Safety Administration (NHTSA) challenging its final rule weakening corporate average fuel economy (CAFE) standards for new passenger cars and light trucks.

Historically, NHTSA's standards have reduced consumer costs by improving fuel efficiency for vehicles, placed downward pressure on gas prices by reducing fuel consumption, protected the U.S. economy from global oil shocks, and reduced pollution from tailpipes and refineries. However, the final rule significantly weakens fuel economy standards and hurts consumers and the planet. In the petition, the coalition alleges that NHTSA's new rule is contrary to law and that NHTSA defies its mandate from Congress to set fuel-economy standards at their "maximum feasible" level. NHTSA's backsliding standards for the next five years require less efficiency than what the U.S. fleet actually achieved in 2021.

"Under this rule, drivers will pay more for gas and our air will be more polluted," said AG Kaul. "NHTSA should be held to what the law requires."

To set fuel economy standards, NHTSA first models the current fleet's performance and then considers what, if any, additional actions manufacturers could take to improve their fuel economy in future model years above that. In past rulemakings, including during the first Trump administration, NHTSA started from a realistic baseline fleet that included the millions of electric vehicles that already existed on our nation's highways and roads and based fuel-economy standards on how additional

technological improvements to gas-fueled cars could make that fleet more efficient. NHTSA never based fuel-economy standards on “mandating” automakers to produce more electric vehicles or requiring consumers to buy them.

The final rule misinterprets NHTSA’s statutory authority and improperly forces the agency to ignore the presence of millions of electric vehicles in the nation’s existing fleet, leading to a flawed analysis of the “maximum feasible” fuel economy level that the auto industry can achieve. NHTSA’s novel approach threatens to leave consumers unable to protect themselves against rising gas prices or the ongoing global oil shock from President Trump’s war.

The coalition alleges that NHTSA has also utilized defective analyses of vehicle affordability and sales, fleet turnover, fuel savings, and vehicle safety to make a harmful rule look net-beneficial to society. The rule does not account for nearly \$220 billion in lost fuel savings — money that drivers would have saved at the pump under the previous fuel economy standards — which may instead benefit oil companies, or hundreds of billions of dollars in future damage to the planet. Defying a longstanding and repeatedly affirmed Congressional mandate, NHTSA asserts that the United States does not need to conserve energy, treating the high gasoline prices and the instability of global oil markets as an acceptable reality. Finally, NHTSA’s rule will end the CAFE credit trading program in 2028, which will significantly harm electric vehicle industries that employ Americans and support the economy.

In today’s petition, the coalition alleges that NHTSA’s final rule is arbitrary and capricious and violates the Administrative Procedure Act and the Energy Policy and Conservation Act.

Joining Wisconsin DOJ in filing this petition are the attorneys general of California, Arizona, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, New York, North Carolina, Oregon, Rhode Island, Vermont, Washington, and the District of Columbia, as well as the City of Chicago, the City and County of Denver, the City of New York, and the City and County of San Francisco.