

Union Calendar No. 133

118TH CONGRESS
1ST SESSION

H. R. 1435

[Report No. 118-169]

To amend the Clean Air Act to prevent the elimination of the sale of internal combustion engines.

IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 2023

Mr. JOYCE of Pennsylvania (for himself, Mr. LATTA, Mr. BILIRAKIS, Mr. OBERNOLTE, Mr. EMMER, Ms. STEFANIK, Mr. CURTIS, Mr. POSEY, Mr. BALDERSON, Mr. RESCHENTHALER, Mr. PFLUGER, Mr. ROY, Mr. MILLER of Ohio, Ms. VAN DUYN, Mr. FINSTAD, Mr. NEHLS, Mr. MAST, Mr. PENCE, Mr. WITTMAN, Mr. GOODEN of Texas, Mr. ARMSTRONG, Mr. JOHNSON of Ohio, Mr. JACKSON of Texas, Mr. ISSA, Mrs. BOEBERT, Mr. GUEST, Mr. ELLZEY, Mr. WEBER of Texas, Mr. SMITH of New Jersey, Mr. HIGGINS of Louisiana, Mr. HUDSON, Mr. CRENSHAW, Mr. CARTER of Georgia, Mr. SMITH of Missouri, Mr. BOST, Mrs. HARSHBARGER, Mr. FEENSTRA, Mr. WILLIAMS of Texas, Mr. DONALDS, Mr. OWENS, Mr. WALBERG, Mrs. MILLER-MEEKS, Mr. AUSTIN SCOTT of Georgia, Mr. GRIFFITH, Mr. MCCORMICK, Mrs. BICE, Mr. STAUBER, Mr. ALLEN, Mr. LAMALFA, Mr. HERN, Mr. KELLY of Pennsylvania, Mr. LATURNER, Mr. DUNCAN, Mr. TURNER, Mr. BURGESS, Mr. WENSTRUP, Mr. MANN, Mr. SMUCKER, Mr. PERRY, and Mr. CAREY) introduced the following bill; which was referred to the Committee on Energy and Commerce

SEPTEMBER 1, 2023

Additional sponsors: Ms. TENNEY, Mrs. STEEL, Mr. HUNT, Mr. EDWARDS, Mr. FULCHER, Mr. BUCSHON, Mrs. FISCHBACH, Mr. COMER, Mr. MCHENRY, Ms. DE LA CRUZ, Mrs. LESKO, Mr. JOHNSON of South Dakota, Mr. ESTES, Mr. YAKYM, Mr. CARL, Mr. GROTHMAN, Mr. VAN ORDEN, Mr. ROUZER, Mr. MEUSER, Mr. KELLY of Mississippi, Mr. EZELL, Mr. CALVERT, Mr. SIMPSON, Mr. MCCAUL, and Mr. JOHNSON of Louisiana

SEPTEMBER 1, 2023

Reported from the Committee on Energy and Commerce; committed to the

Committee of the Whole House on the State of the Union and ordered
to be printed

A BILL

To amend the Clean Air Act to prevent the elimination
of the sale of internal combustion engines.

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 “Preserving Choice in
5 Vehicle Purchases Act”.

6 **SEC. 2. STATE STANDARDS.**

7 (a) AMENDMENTS.—Section 209(b) of the Clean Air
8 Act (42 U.S.C. 7543(b)) is amended—

9 (1) in paragraph (1)—

10 (A) in subparagraph (B), by striking the
11 “or” at the end;

12 (B) in subparagraph (C), by striking
13 “part.” and inserting “part, or”; and

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

15 “(D) such State standards directly or indirectly
16 limit the sale or use of new motor vehicles with in-
17 ternal combustion engines, as such term is defined
18 in section 63.9375 of title 40, Code of Federal Reg-
19 ulations, as in effect January 1, 2023.”; and

20 (2) by adding at the end the following:

21 “(4) The Administrator may not determine that any
22 State standards amended after the date of enactment of
23 this paragraph are within the scope of a waiver granted
24 under paragraph (1) before the date of enactment of this
25 paragraph.”.

1 (b) EFFECT ON CERTAIN EXISTING WAIVERS.—The
2 Administrator of the Environmental Protection Agency
3 shall revoke a waiver granted under section 209(b) of the
4 Clean Air Act (42 U.S.C. 7543(b)) during the period that
5 begins on January 1, 2022, and ends on the date of enact-
6 ment of this Act if the Administrator finds that such waiv-
7 er does not comply with subparagraph (D) of section
8 209(b)(1) of the Clean Air Act (42 U.S.C. 7543(b)(1)),
9 as added by this Act.

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