

AMENDMENT TO H.R. 4
OFFERED BY MR. BOEHLERT OF NEW YORK
(For himself and Mr. Markey of Massachusetts)

Page 66, beginning at line 11, strike sections 201,
202, and 203 and insert the following:

1 **SEC. 201. INCREASED AVERAGE FUEL ECONOMY STAND-**
2 **ARDS FOR PASSENGER AUTOMOBILES AND**
3 **LIGHT TRUCKS.**

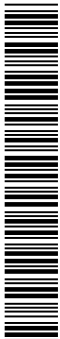
4 (a) COMBINED STANDARD.—Section 32902(b) of
5 title 49, United States Code, is amended to read as fol-
6 lows:

7 “(b) STANDARDS FOR PASSENGER AUTOMOBILES
8 AND LIGHT TRUCKS.—(1) Except as provided in this sec-
9 tion, the average fuel economy standard for the combina-
10 tion of passenger automobiles and light trucks manufac-
11 tured by a manufacturer—

12 “(A) in each of model years 2005 and 2006
13 shall be 26.0 miles per gallon; and

14 “(B) in a model year after model year 2006
15 shall be 27.5 miles per gallon.

16 “(2) Except as provided in this section, and notwith-
17 standing paragraph (1), the average fuel economy stand-
18 ard for passenger automobiles manufactured by a manu-



1 facturer in model years 2005 and 2006 shall be 27.5 miles
2 per gallon.”.

3 (b) AMENDING STANDARDS FOR PASSENGER AUTO-
4 MOBILES AND LIGHT TRUCKS.—Section 32902(c) of title
5 49, United States Code, is amended—

6 (1) by amending so much as precedes the sec-
7 ond sentence of paragraph (1) to read as follows:

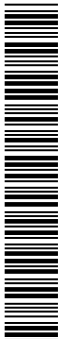
8 “(c) AMENDING STANDARD FOR COMBINATION OF
9 PASSENGER AUTOMOBILES AND LIGHT TRUCKS.—The
10 Secretary of Transportation shall prescribe regulations
11 amending any of the standards under subsection (b) of
12 this section for a model year to any higher level that the
13 Secretary decides is the maximum feasible average fuel
14 economy level for that model year.”; and

15 (2) by striking paragraph (2).

16 (c) DEFINITION OF LIGHT TRUCK.—

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

20 “(17) ‘light truck’ means a 4-wheeled vehicle
21 that is propelled by fuel, or by alternative fuel, that
22 is manufactured primarily for use on public streets,
23 roads, and highways (except a vehicle operated only
24 on a rail line), and that the Secretary decides by
25 regulation—



1 “(A) is rated—

2 “(i) at less than 8,500 pounds gross
3 vehicle weight, in the case of an automobile
4 manufactured in model year 2005 or 2006;
5 or

6 “(ii) at less than 10,000 pounds gross
7 vehicle weight, in the case of an automobile
8 manufactured in a model year after model
9 year 2006;

10 “(B) is manufactured primarily for trans-
11 porting not more than 10 individuals; and

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

13 (2) DEADLINE FOR REGULATIONS.—The Sec-
14 retary of Transportation—

15 (A) shall issue proposed regulations imple-
16 menting the amendment made by this sub-
17 section by not later than 6 months after the
18 date of the enactment of this Act; and

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

22 (c) CONFORMING AMENDMENTS.—

23 (1) Section 32901(a)(3) of title 49, United
24 States Code, is amended by striking “and rated at—



1 ” and inserting “and is a light truck or is rated at—
2 ”.

3 (2) Section 32902(a) of title 49, United States
4 Code, is amended—

5 (A) by striking “NON-PASSENGER AUTO-
6 MOBILES.—” and inserting “STANDARDS FOR
7 CERTAIN AUTOMOBILES.—”; and

8 (B) by striking “(except passenger auto-
9 mobiles)” and inserting “(except passenger
10 automobiles and light trucks)”.

(3) Section 32908(a)(1) of title 49, United States Code, is amended by striking “8,500” and inserting “10,000”.

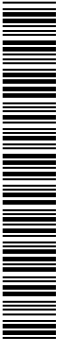
(d) APPLICATION.—The amendments made by this section shall apply beginning on January 1, 2005.

(e) APPLICABILITY OF EXISTING STANDARDS.—This section does not affect the application of section 32902 of title 49, United States Code, to passenger automobiles and light trucks manufactured before model year 2005.

20 SEC. 202. AMENDMENTS TO MANUFACTURING INCENTIVES
21 FOR ALTERNATIVE FUEL AUTOMOBILES.

22 Section 32905 of title 49, United States Code, is
23 amended—

(1) in subsection (b) by striking “2004” and inserting “2008”;



1 (2) in subsection (b)(1) by striking “.5 divided”
2 and inserting “the number determined by (A) sub-
3 tracting from 1.0 the alternative fuel use factor for
4 the model, and (B) dividing the difference calculated
5 under clause (A) by”;

6 (3) in subsection (b)(2) by striking “.5 divided”
7 and inserting “the number determined by dividing
8 the alternative fuel use factor for the model by”;

9 (4) in subsection (d) by striking “2004” and in-
10 serting “2008”;

11 (5) in subsection (d)(1) by striking “.5 divided”
12 and inserting “the number determined by (A) sub-
13 tracting from 1.0 the alternative fuel use factor for
14 the model, and (B) dividing the difference calculated
15 under clause (A) by”;

16 (6) in subsection (d)(2) by striking “.5 divided”
17 and inserting “the number determined by dividing
18 the alternative fuel use factor for the model by”; and

19 (7) by adding at the end the following:

20 “(h) DETERMINATION OF ALTERNATIVE FUEL USE
21 FACTOR.—(1) For purposes of subsections (b) and (d) of
22 this section, the term ‘alternative fuel use factor’ means,
23 for a model of automobile, such factor determined by the
24 Administrator under this subsection.



1 “(2) At the beginning of each year, the Secretary of
2 Energy shall estimate the amount of fuel and the amount
3 of alternative fuel used to operate all models of dual fuel
4 automobiles during the most recent 12-month period.

5 “(3) The Administrator shall determine, by regula-
6 tion, the alternative fuel use factor for each model of dual
7 fueled automobile as the fraction that represents, on an
8 energy equivalent basis, the ratio that the amount of alter-
9 native fuel determined under paragraph (1) bears to the
10 amount of fuel determined under paragraph (1).”.

11 (c) APPLICATION.—The amendments made by this
12 section shall apply beginning on January 1, 2005.

13 (d) APPLICABILITY OF EXISTING STANDARDS.—This
14 section does not affect the application of section 32901
15 of title 49, United States Code, to automobiles manufac-
16 tured before model year 2005.

17 **SEC. 203. ENSURING SAFETY OF PASSENGER AUTOMOBILES**
18 **AND LIGHT TRUCKS.**

19 The Secretary of Transportation shall exercise such
20 authority under Federal law as the Secretary may have
21 to ensure that passenger automobiles and light trucks (as
22 those terms are defined in section 32901 of title 49,
23 United States Code, as amended by this Act) are safe.

