



June 4, 2021

To: Department of Transportation

Re: Regulatory Review (DOT-OST-2021-0036)

The Institute for Policy Integrity at New York University School of Law¹ submits these comments on the Department of Transportation (DOT)'s request for public input on which existing rules should be reconsidered in light of the policies and objectives set in Executive Orders 13,990 and 13,992. Policy Integrity is a non-partisan think tank dedicated to improving the quality of government decisionmaking through advocacy and scholarship in the fields of administrative law, economics, and public policy.

To advance the objectives of Executive Orders 13,990, DOT should **strengthen the corporate average fuel economy standards both for light-duty vehicles and for medium- and heavy-duty vehicles**. Executive Order 13,990 already instructs DOT to consider revisions to light-duty vehicle standards,² but the Order does not address medium- and heavy-duty vehicles. Ambitious fuel economy standards for all vehicle classes will help achieve the Order's objectives to "advance environmental justice," "improve public health," and "confront the climate crisis."³ Recent research has underscored the tremendous potential for cleaner, more efficient cars and trucks to address threats to climate, health, and environmental justice.⁴

Executive Order 13,990 also calls on agencies to "empower our workers and communities."⁵ As Policy Integrity's attached report demonstrates, stronger fuel economy standards for light-, medium-, and heavy-duty vehicles will **empower workers and communities by saving them money**. In *Tune Up: Fixing Market Failures to Cut Fuel Costs and Pollution from Cars and Trucks*, Policy Integrity details the market failures that prevent a vast range of vehicle consumers—from **the independent owner-operators of trucks and retail customers of passenger cars, to the fleets of local governments and small businesses**—from achieving the level of fuel economy that would save them the most money in the long run. Stronger, smarter fuel economy standards will empower workers and communities by helping them keep more money in their pockets, and DOT should revise its regulations to achieve those goals.

Respectfully submitted,

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Attachments: *Tune Up: Fixing Market Failures to Cut Fuel Costs and Pollution from Cars and Trucks*
(Policy Integrity Report, Apr. 2021)

¹ This document does not purport to present New York University School of Law's view, if any.

² Exec. Order No. 13,990 § 2(a)(ii) (Jan. 20, 2021).

³ *Id.* §1.

⁴ See, e.g., Environmental Defense Fund, *Clean Cars, Clean Air, Consumer Savings: 100% New Zero Emission Vehicle Sales by 2035 Will Deliver Extensive Economic, Health and Environmental Benefits to all Americans* 4 (Jan. 2021), <http://blogs.edf.org/climate411/files/2021/01/FINAL-National-White-PaperProtective-Clean-Car-Standards-1.26.21.pdf>; David Farnsworth, Camille Kadoch & Nancy Seidman, *Cleaner by the Mile: Electric Trucks Can Have Outsized Environmental and Health Benefits*, UTILITY DRIVE (Apr. 14, 2021), <https://www.utilitydrive.com/news/cleaner-bythe-mile-electric-trucks-can-have-outsized-environmentaland-he/598369/> (citing Fabio Caiazzo et al., *Air Pollution and Early Deaths in the United States. Part I: Quantifying the Impact of Major Sectors in 2005*, 79 ATMOSPHERIC ENV'T 198 (2013)).

⁵ Exec. Order No. 13,990 § 1.