



LEGISLATIVE PRIORITIES – November 18, 2022

EPA’S PENDING NO_x EMISSIONS RULE COULD BACKFIRE WITH MAJOR CONSEQUENCES FOR DEALERS AND THEIR CUSTOMERS

In March 2022, the U.S. Environmental Protection Agency (EPA) issued a [proposed rule](#) entitled, “Control of Air Pollution from New Motor Vehicles: Heavy-Duty Engine and Vehicle Standards.” The proposal presents two options to further reduce nitrogen oxide (NO_x) emissions from medium- and heavy-duty vehicles for model years (MY) 2027 and later. Continuous emissions improvements are necessary but must be affordable and not degrade commercial motor vehicle (CMV) performance. EPA’s “Option 1” proposal would require expensive new technologies that could result in new CMVs that are unaffordable or do not meet the performance standards for purchasers. When new CMVs don’t sell, older less environmentally friendly CMVs stay on the road. The American Truck Dealers (ATD) [commented](#) on EPA’s proposed rule on May 16, and urges EPA to advance “Option 2,” a set of technologically achievable and customer acceptable national heavy-duty engine NO_x standards for MY 2027 and later. On November 17, Sen. Ernst (R-Iowa) and 16 Republican Senators sent a [letter](#) to the EPA urging the agency adopt “Option 2” and to consider any new CMV GHG mandates in a separate Phase 3 rulemaking.

PROMOTE THE TRANSITION TO A CLEANER, GREENER AND SAFER TRUCK FLEET – REPEAL THE FEDERAL EXCISE TAX ON HEAVY-DUTY TRUCKS – COSPONSOR H.R. 8116/S. 2435

Congress should repeal the outdated 12% federal excise tax (FET) imposed on new heavy-duty trucks to accelerate turnover of America’s aging truck fleet, which will lead to cleaner, safer trucks on the road. First enacted in 1917 to help fund World War I, this tax routinely adds \$22,000 or more to the price of a new heavy-duty truck. The FET is levied in addition to the nearly \$40,000 per truck cost due to recent federal emissions and fuel-economy mandates. Additionally, the FET can add more than \$50,000 to the price of an electric or hydrogen fuel-cell truck, and these vehicles are already more than twice the price of internal combustion engine trucks. While new trucks have made significant environmental gains, such as reducing nitrous oxide emissions by 97% and particulate matter emissions by 98%, the FET remains a costly barrier to the purchase of new trucks equipped with the latest environmental technologies. With more than half of the Class 8 trucks on the road today over 10 years old, FET repeal would [immediately](#) benefit the environment by incentivizing the replacement of older trucks with cleaner and more fuel-efficient trucks.

Bills to repeal the FET have been introduced in the House ([H.R. 8116](#)) by Reps. LaMalfa (R-Calif.) and Pappas (D-N.H.), and in the Senate ([S. 2435](#)) by Sens. Young (R-Ind.) and Cardin (D-Md.). **Members of Congress are urged to cosponsor H.R. 8116/S. 2435 to protect U.S. jobs, replace older trucks with newer and greener trucks, and promote the adoption of advanced technology trucks.**

SUPPORT BIPARTISAN CATALYTIC CONVERTER ANTI-THEFT LEGISLATION (H.R. 6394/S. 5024)

Catalytic converters are being stolen at increasingly higher rates due to their valuable metals, such as rhodium, platinum, and palladium. Thefts reported in insurance company claims have sharply increased over the past three years, and the National Insurance Crime Bureau estimates that these thefts increased by 326% in 2020 and increased another 353% in 2021. Gas-powered medium-duty trucks are often targeted by thieves, as many of these vehicles have catalytic converters which can be easily accessed, and since catalytic converters are not readily traceable there is a lucrative market for these stolen parts. These thefts are costing businesses and vehicle owners millions of dollars. [H.R. 6394/S. 5024](#), the bipartisan “Preventing Auto Recycling Theft Act” (PART Act) would assist law enforcement in their efforts to combat this crime by providing a national framework that would mark catalytic converters, establish federal criminal penalties, and create a more transparent market that deters its theft. NADA and 14 other groups, including ATD, sent a [letter](#) to House Energy and Commerce Committee leaders in support of the PART Act. **Members of Congress are urged to cosponsor H.R. 6394/S. 5024 to address the growing national problem of catalytic converter theft.**