

118TH CONGRESS  
1ST SESSION

# S. 3094

To prohibit the Administrator of the Environmental Protection Agency from finalizing, implementing, or enforcing a proposed rule with respect to emissions from vehicles, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 19, 2023

Mr. CRAPO (for himself, Mr. RICKETTS, Mrs. CAPITO, Mr. MANCHIN, Mr. RISCH, Mrs. FISCHER, Ms. LUMMIS, Mrs. BRITT, Mr. MARSHALL, Mr. TILLIS, Mr. SCOTT of Florida, Mr. BUDD, Mr. CRAMER, Mr. TUBERVILLE, Mr. LEE, Mrs. HYDE-SMITH, Mr. WICKER, Mr. BARRASSO, Mr. BOOZMAN, Mr. DAINES, Ms. ERNST, Mr. COTTON, Mr. CASSIDY, Mr. KENNEDY, Mr. SULLIVAN, Mr. SCOTT of South Carolina, Mr. HOEVEN, Mr. BRAUN, and Mr. CRUZ) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To prohibit the Administrator of the Environmental Protection Agency from finalizing, implementing, or enforcing a proposed rule with respect to emissions from vehicles, and for other purposes.

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 “Choice in Automobile  
5 Retail Sales Act of 2023”.

1 **SEC. 2. PROHIBITION AGAINST FINALIZING, IMPLE-**  
2 **MENTING, OR ENFORCING A PROPOSED RULE**  
3 **WITH RESPECT TO EMISSIONS FROM VEHI-**  
4 **CLES.**

5 The Administrator of the Environmental Protection  
6 Agency may not finalize, implement, or enforce the pro-  
7 posed rule of the Environmental Protection Agency enti-  
8 tled “Multi-Pollutant Emissions Standards for Model  
9 Years 2027 and Later Light-Duty and Medium-Duty Ve-  
10 hicles” (88 Fed. Reg. 29184 (May 5, 2023)).

11 **SEC. 3. ENSURING TAILPIPE REGULATIONS DO NOT LIMIT**  
12 **THE AVAILABILITY OF NEW MOTOR VEHI-**  
13 **CLES.**

14 (a) IN GENERAL.—Section 202(a)(2) of the Clean  
15 Air Act (42 U.S.C. 7521(a)(2)) is amended—

16 (1) by striking “(2) Any regulation” and insert-  
17 ing “(2)(A) Any regulation”; and

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

19 “(B) Any regulation, including a revision to a  
20 regulation, prescribed under paragraph (1), includ-  
21 ing any regulation prescribed after January 1, 2021,  
22 and any regulation proposed after the date of enact-  
23 ment of this subparagraph, shall not—

24 “(i) mandate the use of any specific tech-  
25 nology; or

1           “(ii) result in limited availability of new  
2           motor vehicles based on the type of new motor  
3           vehicle engine in such new motor vehicles.”.

4           (b) NECESSARY REVISIONS TO REGULATIONS.—Not  
5 later than 24 months after the date of enactment of this  
6 Act, the Administrator of the Environmental Protection  
7 Agency shall promulgate such revisions to regulations as  
8 may be necessary to conform those regulations to subpara-  
9 graph (B) of section 202(a)(2) of the Clean Air Act (42  
10 U.S.C. 7521(a)(2)), as added by subsection (a).

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