



Florida Farm Bureau Issue Briefs

Agricultural Policy Division

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Florida seeking to adopt California's emission standards

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Issue:

In an effort to combat motor vehicle emission and greenhouse gases (GHG), Governor Crist's Executive Order 07-127 plans to "adopt the California motor vehicle emission standards in Title 13 or the California Code of Regulations, effective January 1, 2005, upon approval by the EPA of California's pending waiver, which includes emission standards for greenhouse gases." According to the Florida Department of Environmental Protection, Florida is looking to adopt the California rules to seek greater reductions of CO2 sooner than Florida would otherwise.

Farm Bureau policy opposes legislation that would mandate excessive increases in Corporate Average Fuel Economy Standards for new cars, pickup trucks, and SUVs as well as opposing any mandate that restricts fuel economy standards for small trucks to the same level as automobiles. Farm Bureau policy also opposes standards that reduce the availability and increase the cost of trucks. Therefore, the Florida Farm Bureau Federation strongly opposes Governor Crist's Executive Order 07-127.

Background:

Under the Clean Air Act, California has the right to establish vehicle emission standards that are stricter than federal regulations upon approval of a waiver from EPA. So far California has developed GHG emission standards, requested a waiver from EPA, and challenged EPA's initial denial of the waiver. According to Section 177 of the Clean Air Act, Florida is allowed to adopt standards identical to California's vehicle emission standards and will be able to begin enforcing them two (model) years following their adoption.

Florida, as well as 16 other states, have intervened in support of California's lawsuit and several of those, including Florida, have adopted, or are in the process of adopting, California's automobile emissions standards. Each state that has adopted the California low emissions vehicle program adopts the same set of emission standards, but the enforcement mechanisms vary from state to state. Upon adoption, the Florida DEP proposes to do the following:

- Adopt the fleet average emission standards (including GHG standards), commencing two model years following approval of the greenhouse gas waiver
- Adopt the zero emission vehicle requirements after the ongoing California rulemaking is concluded, commencing two model years following the approval of the greenhouse gas waiver but no sooner than model year 2012
- Specify that compliance is based on the number of vehicles delivered for sale in Florida (delivered for sale to include delivered for lease, delivered for renting out, etc.)
- Include any definitions needed for implementation in Florida

- Indicate that a recall initiated by California will also apply to vehicles in Florida, unless the manufacturer can demonstrate that the recall is not applicable
- Require an annual report from vehicle manufacturers
- Require a fleet average remediation report for manufacturers demonstrating noncompliance
- Require manufacturers to provide access to copies of the certification for each engine family to be sold in Florida
- Require dealers to keep sales records that are similar to records the dealers are already maintaining. (The Department is not anticipating a substantial recordkeeping burden on dealers).

FFBF Policy:

Though the Florida Farm Bureau Federation does not have a specific policy covering emission standards, our national organization, American Farm Bureau Federation, does. That policy states:

“We oppose legislation that would mandate excessive increases in Corporate Average Fuel Economy Standards (CAFÉ) for new cars, pickup trucks, and vans.

We oppose any changes in the CAFÉ standards that reduce the availability and increase the cost of trucks.”

The policy goes on to say:

“We oppose any mandate by the Environmental Protection Agency (EPA) that restricts fuel economy standards for small trucks to the same level as automobiles.

We oppose emission controls on farm vehicles that are used primarily on the farm.”

Action:

Visit www.capwiz.com/fffb to send a message to the Florida Department of Environmental Protection urging them not to adopt California’s motor vehicle emission standards.