



Consumer Federation of America

**Statement of
Mark Cooper, Senior Fellow
On
Revised 2023 and Later Model Year Light-Duty Vehicle
Greenhouse Gas Emissions Standards
August 26, 2021**

I am Dr. Mark Cooper, Director of Research at the Consumer Federation of America. We greatly appreciated the opportunity to speak today.

I want to begin by applauding the agency for taking the time to do it right. It was easy to say that the rule adopted by the previous administration made no sense, but much more challenging to reverse the rule in a manner that would withstand scrutiny by the courts under the administrative procedure act.

Over the course a decade, we have shown the steady improvement in rule writing to make rules consistent with contemporary economic theory and the law as defined by the Energy statutes and the APA.

It was important to restore the correct logic and approach of the National Program as defended by the TAR.

It was necessary to obey the statutory time lines laid out in the Energy Independence and Security Act (or EISA).

It was important to signal that there would be a dramatic change in direction, but one that stayed within the above constraints.

Now the hard work begins. The Agency has continued with the approach to regulation that we call “command-but-not-control,” which was very much at the core of EISA.

Command but not control involves six elements we have identified as:

Long-Term, Technology Neutral, Product Neutral, Responsive to industry needs, Responsive to consumer needs, Procompetitive.

The one challenge here is that the agency must accelerate a transition in technology to an all-electric fleet, a transformation to which many of the automakers have already committed. Therefore, the agency is not “mandating” a technology, it is seeking to smooth and accelerate its adoption.

Two key features of the transition are crucial.

First, there are likely to be at least 100 million gasoline vehicle sold before the transition is complete. They are likely to be on the road for a quarter of a century. Therefore, it is important to make sure that they are as efficient as possible. Doing so can “help” the transition because setting high standards on the gasoline part of the fleet will speed the adoption of electric vehicles and a significant part of the gain in efficiency – vehicle design and operation – may be applicable to the electric portion of the fleet.

Second, it is important to close the loopholes, especially those that might allow the automakers to “use” the electric vehicle part of the fleet to “relax” the efficiency of the gasoline powered part. That trade-off must not be allowed.

Establishing the goal of an all-electric fleet and speeding the transition will require changes in infrastructure beyond the setting of efficiency standards, which the administration has recognized and insisted on launching in the near term.

Our economic analysis shows, and the agency seems to agree,” that this can all be done with a net positive benefit cost ratio. The total cost of driving will go down, measured by the pocketbook saving consumers. Public health and environmental benefits increase an already positive benefit-cost ratio. Given that finding and the already demonstrated commitment to infrastructure, all Americans of all income levels will be better off at the end of the transition.