

ASSEMBLY JOINT RESOLUTION NO. 14—ASSEMBLYMEN
OHRENSCHALL, BOBZIEN, SEGERBLOM, LESLIE, HOGAN;
AIZLEY, ARBERRY, GOEDHART, GOICOECHEA, KIHUEN,
MORTENSON, MUNFORD, OCEGUERA AND PIERCE

MARCH 16, 2009

JOINT SPONSOR: SENATOR PARKS

Referred to Committee on Elections, Procedures, Ethics,
and Constitutional Amendments

SUMMARY—Urges the United States Environmental Protection
Agency to grant California a waiver to achieve
certain reductions in greenhouse gas emissions from
motor vehicles. (BDR R-5)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in **bolded italics** is new; matter between brackets **omitted material** is material to be omitted.

ASSEMBLY JOINT RESOLUTION—Urging the United States
Environmental Protection Agency to grant California a
waiver to achieve certain reductions in greenhouse gas
emissions from motor vehicles.

- 1 WHEREAS, The State of California has implemented more
- 2 stringent regulations for motor vehicle air emissions than the
- 3 Federal Government for over 40 years; and
- 4 WHEREAS, In recognition of the pioneering role of that state in
- 5 protecting the public health and welfare from motor vehicle
- 6 emissions, the United States Congress enacted Section 209(b) of the
- 7 federal Clean Air Act, 42 U.S.C. § 7543(b), which requires the
- 8 Administrator of the United States Environmental Protection
- 9 Agency to waive federal preemption of state standards for the
- 10 control of motor vehicle emissions if they are at least as stringent as
- 11 the federal standards; and



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1 WHEREAS, According to the Congressional Research Service,
2 California has previously requested waivers of preemption under
3 that provision more than 50 times since it was enacted, and until the
4 rejection of the request submitted in 2007, the Administrator had
5 never denied such a request, but instead, always granted the requests
6 in whole or in part; and

7 WHEREAS, President Barack Obama has directed the
8 Administrator to reconsider California's request for a waiver that
9 was rejected by the previous administration, and the Administrator
10 has started the process to reconsider the request; and

11 WHEREAS, Once a waiver of federal preemption is granted to
12 California, other states may adopt the standards for motor vehicle
13 emissions established by California; and

14 WHEREAS, Thirteen states and the District of Columbia have
15 already taken steps to follow California's emissions standards,
16 which include new greenhouse gas reductions that, according to
17 Environment America, if enacted by those entities, would reduce
18 global warming pollution by more than 450 million metric tons by
19 the year 2020, a reduction equivalent to eliminating all the pollution
20 from 84.7 million of today's cars for a year; and

21 WHEREAS, An analysis by the California Air Resources Board
22 shows that, once fully adopted, the California standards would, by
23 2020, result in twice the amount of cumulative reduction of carbon
24 dioxide emissions in California, and an 80 percent greater reduction
25 in carbon dioxide emissions nationally, than would be achieved
26 under the federal act; and

27 WHEREAS, The State of Nevada supports California's right
28 under the Clean Air Act to set stricter standards for motor vehicle
29 emissions than the Federal Government and the right of other states
30 to then follow California's standards; now, therefore, be it

31 RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF
32 NEVADA, JOINTLY, That the Legislature of the State of Nevada
33 urges the United States Environmental Protection Agency to grant
34 California the waiver necessary to achieve greenhouse gas
35 reductions from motor vehicles as required by state law; and be it
36 further

37 RESOLVED, That the Legislature of the State of Nevada opposes
38 federal preemption of state laws and regulations that are stronger
39 than federal laws or regulations to reduce global warming
40 emissions; and be it further

41 RESOLVED, That the Chief Clerk of the Assembly prepare and
42 transmit a copy of this resolution to the President of the United
43 States, the Vice President of the United States as the presiding
44 officer of the United States Senate, the Speaker of the House of
45 Representatives, the Majority Leader of the Senate, each other



1 member of the Nevada Congressional Delegation and the
2 Administrator of the United States Environmental Protection
3 Agency; and be it further
4 RESOLVED, That this resolution becomes effective upon
5 passage.

