

Subsec. (f)(1). Pub. L. 109–58, §772(a)(3), substituted “2010” for “2004”.

Subsec. (h). Pub. L. 109–58, §759, added subsec. (h).
1996—Subsec. (g). Pub. L. 104–287 substituted “Committee on Commerce” for “Committee on Energy and Commerce”.

EFFECTIVE DATE OF 2007 AMENDMENT

Amendment by Pub. L. 110–140 effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110–140, set out as an Effective Date note under section 1824 of Title 2, The Congress.

§ 32906. Maximum fuel economy increase for alternative fuel automobiles

(a) IN GENERAL.—For each of model years 1993 through 2019 for each category of automobile (except an electric automobile or, beginning with model year 2016, an alternative fueled automobile that uses a fuel described in subparagraph (E) of section 32901(a)(1)), the maximum increase in average fuel economy for a manufacturer attributable to dual fueled automobiles is—

- (1) 1.2 miles a gallon for each of model years 1993 through 2014;
 - (2) 1.0 miles per gallon for model year 2015;
 - (3) 0.8 miles per gallon for model year 2016;
 - (4) 0.6 miles per gallon for model year 2017;
 - (5) 0.4 miles per gallon for model year 2018;
 - (6) 0.2 miles per gallon for model year 2019;
- and
- (7) 0 miles per gallon for model years after 2019.

(b) CALCULATION.—In applying subsection (a), the Administrator of the Environmental Protection Agency shall determine the increase in a manufacturer’s average fuel economy attributable to dual fueled automobiles by subtracting from the manufacturer’s average fuel economy calculated under section 32905(f) the number equal to what the manufacturer’s average fuel economy would be if it were calculated by the formula under section 32904(a)(1) by including as the denominator for each model of dual fueled automobiles the fuel economy when the automobiles are operated on gasoline or diesel fuel. (Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1067; Pub. L. 109–58, title VII, §772(b), Aug. 8, 2005, 119 Stat. 834; Pub. L. 110–140, title I, §109(a), Dec. 19, 2007, 121 Stat. 1505; Pub. L. 113–291, div. A, title III, §318(a), (d), Dec. 19, 2014, 128 Stat. 3341, 3342.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
32906(a)	15:2013(g)(1).	Oct. 20, 1972, Pub. L. 92–513, 86 Stat. 947, §513(g)(1), (2)(A); added Oct. 14, 1988, Pub. L. 100–494, §6(a), 102 Stat. 2449; Oct. 24, 1992, Pub. L. 102–486, §403(5)(G)(i), (ii)(I), 106 Stat. 2877.
32906(b)	15:2013(g)(2)(A).	

AMENDMENTS

2014—Subsec. (a). Pub. L. 113–291, §318(a), substituted “(except an electric automobile or, beginning with model year 2016, an alternative fueled automobile that uses a fuel described in subparagraph (E) of section 32901(a)(1))” for “(except an electric automobile)” in introductory provisions.

Subsec. (b). Pub. L. 113–291, §318(d), substituted “section 32905(f)” for “section 32905(e)”.

2007—Pub. L. 110–140 amended section generally, substituting provisions relating to maximum increase in average fuel economy for each of model years 1993 through 2019 and calculation of each such increase for provisions relating to maximum increase for each of model years 1993 through 2010 and authorizing offsets if the Secretary of Transportation reduced the average fuel economy standard for passenger automobiles for any model year below 27.5 miles per gallon.

2005—Subsec. (a)(1)(A). Pub. L. 109–58, §772(b)(1), substituted “model years 1993–2010” for “the model years 1993–2004”.

Subsec. (a)(1)(B). Pub. L. 109–58, §772(b)(2), substituted “model years 2011–2014” for “the model years 2005–2008”.

EFFECTIVE DATE OF 2007 AMENDMENT

Amendment by Pub. L. 110–140 effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110–140, set out as an Effective Date note under section 1824 of Title 2, The Congress.

§ 32907. Reports and tests of manufacturers

(a) MANUFACTURER REPORTS.—(1) A manufacturer shall report to the Secretary of Transportation on—

- (A) whether the manufacturer will comply with an applicable average fuel economy standard under section 32902 of this title for the model year for which the report is made;
- (B) the actions the manufacturer has taken or intends to take to comply with the standard; and
- (C) other information the Secretary requires by regulation.

(2) A manufacturer shall submit a report under paragraph (1) of this subsection during the 30 days—

- (A) before the beginning of each model year; and
- (B) beginning on the 180th day of the model year.

(3) When a manufacturer decides that actions reported under paragraph (1)(B) of this subsection are not sufficient to ensure compliance with that standard, the manufacturer shall report to the Secretary additional actions the manufacturer intends to take to comply with the standard and include a statement about whether those actions are sufficient to ensure compliance.

(4) This subsection does not apply to a manufacturer for a model year for which the manufacturer is subject to an alternative average fuel economy standard under section 32902(d) of this title.

(b) RECORDS, REPORTS, TESTS, INFORMATION, AND INSPECTION.—(1) Under regulations prescribed by the Secretary or the Administrator of the Environmental Protection Agency to carry out this chapter, a manufacturer shall keep records, make reports, conduct tests, and provide items and information. On request and display of proper credentials, an officer or employee designated by the Secretary or Administrator may inspect automobiles and records of the manufacturer. An inspection shall be made at a reasonable time and in a reasonable way.

(2) The district courts of the United States may—

- (A) issue an order enforcing a requirement or request under paragraph (1) of this subsection; and