



Institute for
Policy Integrity

NEW YORK UNIVERSITY SCHOOL OF LAW

October 26, 2021

To: National Highway Traffic Safety Administration
Subject: Comments on “Corporate Average Fuel Economy Standards for Model Years 2024–2026: Draft Supplemental Environmental Impact Statement”
Docket ID: NHTSA-2021-0054

The Institute for Policy Integrity at New York University School of Law (“Policy Integrity”)¹ respectfully submits the following comments on the National Highway Traffic Safety Administration’s (“NHTSA”) *Corporate Average Fuel Economy Standards for Model Years 2024–2026 Draft Supplemental Environmental Impact Statement* (“DSEIS”). The attached comments have also been submitted to the docket for NHTSA’s accompanying Proposed Rule, *Corporate Average Fuel Economy Standards for Model Years 2024–2026 Passenger Cars and Light Trucks*,² which proposes to revise NHTSA’s final rule entitled *The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021–2026 Passenger Cars and Light Trucks* (“SAFE 2”).³

In particular, sections II.A, IV, and VI are most relevant to the DSEIS as they relate to how the agency calculates emission totals from its Proposed Rule. Section II.A explains why NHTSA should use a long-run estimate for sales elasticity. Section IV discusses why NHTSA should further reduce its estimated rebound effect and how the agency should account for pandemic-induced shocks to national vehicle miles travelled. Section VI outlines how NHTSA has underestimated the upstream emission reductions that the Proposed Rule will generate.

Respectfully,

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¹ This document does not purport to represent the views, if any, of New York University School of Law.

² 86 Fed. Reg. 49,602 (Sept. 3, 2021) (Docket No. NHTSA-2021-0053).

³ 85 Fed. Reg. 24,174 (Apr. 30, 2020) (Docket No. EPA-HQ-OAR-2018-0283).