
HOUSE JOINT MEMORIAL 4015

State of Washington 61st Legislature 2009 Regular Session

By Representatives Chase and Morris

Read first time 02/23/09. Referred to Committee on Ecology & Parks.

1 TO THE HONORABLE BARACK OBAMA, PRESIDENT OF THE UNITED STATES, AND
2 TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF
3 REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE
4 UNITED STATES, IN CONGRESS ASSEMBLED, AND TO THE HONORABLE LISA
5 JACKSON, ADMINISTRATOR OF THE UNITED STATES ENVIRONMENTAL PROTECTION
6 AGENCY:

7 We, your Memorialists, the Senate and House of Representatives of
8 the State of Washington, in legislative session assembled, respectfully
9 represent and petition as follows:

10 WHEREAS, The state of California has implemented more stringent
11 motor vehicle air emissions regulations than the federal government for
12 over 40 years; and

13 WHEREAS, In recognition of the role of California in protecting
14 public health and welfare from motor vehicle emissions, the United
15 States Congress enacted subdivision (b) of Section 209 of the federal
16 Clean Air Act (42 U.S.C. Sec. 7543(b)) that allows the Administrator of
17 the United States Environmental Protection Agency (Administrator) to
18 waive federal preemption of state motor vehicle standards established;
19 and

1 WHEREAS, Once a waiver is granted to California for that
2 regulation, other states may adopt the vehicle emissions standards
3 established by California; and

4 WHEREAS, According to the Congressional Research Service,
5 California has requested waivers of preemption under subdivision (b) of
6 Section 209 of the federal Clean Air Act (42 U.S.C. Sec. 7543(b)) for
7 vehicle emissions standards more than 50 times since that provision was
8 enacted, and the Administrator has never denied such a request, but
9 instead always granted the requests, in whole or in part; and

10 WHEREAS, The President of the United States, Barack Obama, has
11 directed the Administrator to reconsider California's waiver request
12 that was rejected by the previous administration; and

13 WHEREAS, The Administrator has started the process to reconsider
14 California's request; and

15 WHEREAS, An analysis by the California State Air Resources Board
16 shows that the California standards, once fully adopted, would result
17 in, by 2020, twice the amount of carbon dioxide cumulative reduction
18 emissions in California and an 80 percent greater reduction in carbon
19 dioxide emissions nationally, than would be achieved under the federal
20 act; and

21 WHEREAS, Thirteen states and the District of Columbia, including
22 the state of Washington, have already taken steps to follow
23 California's emissions standards that include the new greenhouse gas
24 reductions, which is estimated to reduce global warming pollution by
25 more than 450 million metric tons by 2020, a reduction equivalent to
26 eliminating all of the pollution from 84.7 million of today's cars for
27 a year; and

28 WHEREAS, The state of Washington supports California's right under
29 the Clean Air Act to set stricter standards than the federal government
30 for motor vehicle emissions and the rights of other states to then
31 follow California's standards;

32 NOW, THEREFORE, Your Memorialists respectfully pray that the United
33 States Environmental Protection Agency grant California its waiver
34 necessary to achieve greenhouse gas reductions from motor vehicles as
35 required by state law, and that the Legislature of the State of
36 Washington opposes preemption of state laws and regulations that are
37 stronger than federal laws or regulations to reduce global warming
38 emissions.

1 BE IT RESOLVED, That copies of this Memorial be immediately
2 transmitted to the Honorable Barack Obama, President of the United
3 States, Lisa Jackson, administrator of the United States Environmental
4 Protection Agency, the President of the United States Senate, the
5 Speaker of the House of Representatives, and each member of Congress
6 from the State of Washington.

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