

GREENHOUSE GAS PERFORMANCE MEASURE MYTH VS. FACT

Myths

VS

Facts

The **Administration** has the legal authority to track and regulate vehicle tailpipe emissions.



Congress twice considered a provision that would have directed FHWA to establish a greenhouse gas emissions performance measure and associated targets and **directly rejected it**. Florida joined 20 other states in filing a lawsuit against this executive overreach and **two separate courts ruled in favor of Florida**. In the Court's own words: "A tailpipe emissions reduction forced on states under the guise of highway planning is just another example of a regulatory elephant squeezed into a statutory mousehole."

The performance measure **does not impose penalties** for those who miss their targets.



Per [Statute](#), if the FHWA Administrator determines that a State has failed to comply with the Federal laws or the regulations with respect to a project, he **may withhold payment** to the State of Federal funds on account of such project, **withhold approval of further projects** in the State, and **take such other action** that he deems appropriate under the circumstances.

Regulating U.S. tailpipe emissions **will not** lead to restrictions on Americans' vehicle preferences.



The [U.S. accounts for only 15%](#) of global greenhouse gas emissions (compared with 30% for China). U.S. passenger vehicles contribute only 16.4% to the country's 15% share of global greenhouse gas emissions – **less than 2.5%**. But for the U.S. to achieve a 2.5% greenhouse gas reduction through this narrow channel would **require abolishing and destroying all U.S. passenger vehicles**.

