
HOUSE CONCURRENT RESOLUTION

URGING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE AND
SUPPORT FEDERAL LEGISLATION ENABLING THE STATE OF HAWAII TO
ADOPT CALIFORNIA'S MORE STRINGENT VEHICLE EMISSIONS
STANDARDS.

1 WHEREAS, there is evidence that the planet's climate is
2 becoming warmer, with potentially catastrophic effects on
3 coastal areas and global weather patterns; and

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5 WHEREAS, many scientists believe that a significant cause
6 of global warming is the increase in emissions of greenhouse
7 gases caused by human activity, including carbon dioxide and
8 carbon monoxide emissions from burning fossil fuels, which trap
9 heat inside the Earth's atmosphere; and

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11 WHEREAS, Hawaii would be directly affected by any increase
12 in global warming, as scientific evidence suggests outcomes of
13 rising sea level, changes in the frequency and strength of
14 storms, climate variability, and loss of biodiversity, among
15 other things; and

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17 WHEREAS, vehicles are a major source of air pollution with
18 vehicle emissions contributing between 35 and 70 percent of all
19 ozone-forming emissions and at least 90 percent of all carbon
20 monoxide emissions; and

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22 WHEREAS, vehicle tailpipe emissions from cars and trucks
23 account for almost a third of all air pollution in the United
24 States; and

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26 WHEREAS, while the federal Clean Air Act was enacted to
27 reduce air pollution, by among other things, reducing vehicle
28 emissions, California had adopted their own more stringent
29 vehicle emission standards prior to its enactment; and



1 WHEREAS, section 209(a) of the federal Clean Air Act, which
2 reads:

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4 *[n]o State or any political subdivision thereof*
5 *shall adopt or attempt to enforce any standard*
6 *relating to the control of emissions from new motor*
7 *vehicles or new motor vehicle engines subject to*
8 *this part. No State shall require certification,*
9 *inspection, or any other approval relating to the*
10 *control of emissions from any new motor vehicle or*
11 *new motor vehicle engine as condition precedent to*
12 *the initial retail sale, titling (if any), or*
13 *registration of such motor vehicle, motor vehicle*
14 *engine, or equipment[,]*

15
16 prohibits any state from adopting or enforcing a set of vehicle
17 emission standards different from the federal standards of the
18 Clean Air Act; and

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20 WHEREAS, section 209(b)(1) of the Clean Air Act, which
21 reads:

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23 *The Administrator shall ... waive application of*
24 *this section to any State which has adopted*
25 *standards ... for the control of emissions from new*
26 *motor vehicles or new motor vehicle engines prior*
27 *to March 30, 1966, if the State determines that the*
28 *State standards will be, in the aggregate, at least*
29 *as protective of public health and welfare as*
30 *applicable Federal standards[,]*

31
32 allows California to enforce its own more stringent standards
33 contained in Title 13 of the California Code of Regulations; and

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35 WHEREAS, section 177 of the Clean Air Act, which reads:

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37 *[n]otwithstanding section 209(a), any State which*
38 *has plan provisions approved under this part may*
39 *adopt and enforce for any model year standards*
40 *relating to control of emissions from new motor*
41 *vehicles or new motor vehicle engines and take such*
42 *other actions as are referred to in section 209(a)*
43 *respecting such vehicles ...,*



1 requires states to fail national ambient air quality standards
2 for the ozone prior to adopting the standards that California
3 has adopted which are more stringent than federal vehicle
4 emission standards; and

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6 WHEREAS, Hawaii, due to location and prevailing wind
7 conditions, is currently blessed with the cleanest air on Earth;
8 and

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10 WHEREAS, the State of Hawaii is unable to adopt
11 California's more stringent vehicle emission standards under the
12 federal Clean Air Act because its ambient air quality is not
13 below the federal threshold for adopting California's standards;
14 and

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16 WHEREAS, while it is understandable that the federal
17 government is concerned about the cost to the automobile
18 manufacturing industry of compliance with multiple standards;
19 and

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21 WHEREAS, the cost of compliance to the automobile
22 manufacturing industry is not likely to increase from the
23 adoption of California's stringent vehicle emission standards by
24 high air quality states, but should in fact be more cost-
25 efficient for the automobile manufacturing industry because of
26 the increased demand for cars that meet the California standard,
27 and will be an incentive for the manufacturers to make all of
28 their cars to meet the more stringent standards; and

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30 WHEREAS, if the federal Clean Air Act is amended to allow
31 states to adopt California's stringent emission standards
32 without having to meet the necessary threshold of air pollution,
33 the State of Hawaii would be able to adopt California's more
34 stringent vehicle emission standards and help reduce greenhouse
35 gas emissions; and

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37 WHEREAS, as the effects of global warming are expected to
38 affect our state in many ways, the ability of our state to adopt
39 the more stringent standards to reduce greenhouse gas emissions
40 also affects the ability our state to control the quality of our
41 lives; now, therefore,



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1 BE IT RESOLVED by the House of Representatives of the
 2 Twenty-fourth Legislature of the State of Hawaii, Regular
 3 Session of 2007, the Senate concurring, that the Congressional
 4 delegation of Hawaii is urged to introduce and support federal
 5 legislation enabling the State of Hawaii to adopt California's
 6 more stringent vehicle emissions levels regardless of Hawaii's
 7 pollution levels; and

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 9 BE IT FURTHER RESOLVED that certified copies of this
 10 Concurrent Resolution be transmitted to the members of Hawaii's
 11 Congressional delegation.
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OFFERED BY: Lydia B. Berg

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