

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT; BAY
AREA AIR QUALITY
MANAGEMENT DISTRICT; and
SACRAMENTO METROPOLITAN
AIR QUALITY MANAGEMENT
DISTRICT

Petitioners,

v.

NATIONAL HIGHWAY TRAFFIC
SAFETY ADMINISTRATION; JAMES
C. OWENS, in his official capacity as
Acting Administrator, National Highway
Traffic Safety Administration; U.S.
ENVIRONMENTAL PROTECTION
AGENCY; and ANDREW R.
WHEELER, in his official capacity as
Administrator, U.S. Environmental
Protection Agency

Respondents.

No. 20-1173

PETITION FOR REVIEW

Pursuant to 49 U.S.C. § 32909(a), section 307(b)(1) of the Clean Air Act, 42 U.S.C. § 7607(b)(1), and Rule 15(a) of the Federal Rules of Appellate Procedure, the Petitioners listed above hereby petition this Court for review of the final actions of the National Highway Traffic Safety Administration (NHTSA) and the U.S. Environmental Protection Agency (EPA) in their final rules published under the

title, “The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks.” The final rules were published in the *Federal Register* at 85 Fed. Reg. 24,174-25,278 on April 30, 2020. This Petition is timely filed within sixty days of publication.

Date: May 28, 2020

Respectfully Submitted,

/s/ Brian Tomasovic

BAYRON GILCHRIST, General Counsel
BARBARA BAIRD, Chief Deputy Counsel
BRIAN TOMASOVIC
KATHRYN ROBERTS
South Coast Air Quality Mgmt. District
21865 Copley Dr., Diamond Bar, CA 91765
909.396-3400 | FAX 909.396.2961

*Counsel for Petitioner South Coast Air
Quality Management District*

/s/ Brian C. Bunger (by permission)

BRIAN C. BUNGER, District Counsel
RANDI LEIGH WALLACH
Bay Area Air Quality Mgmt. District
375 Beale Street, Suite 600
San Francisco, CA 94105
415-749-4920 | FAX 415-749-5103

*Counsel for Bay Area Air Quality
Management District*

/s/ Kathrine Pittard (by permission)

KATHRINE PITTARD, District Counsel
Sacramento Metropolitan Air Quality

Mgmt. District
777 12th Street
Sacramento, CA 95819
916-874-4907 | FAX 916-874-4899

*Counsel for Sacramento Metropolitan Air
Quality Management District*

CERTIFICATE OF SERVICE

Pursuant to Fed. R. App. P. 15(c), Circuit Rule 15(a), Fed. R. App. P. 25, 40 C.F.R. § 23.12(a), and 49 C.F.R. § 9.19, on this date, I hereby certify that I will cause to be delivered, via certified U.S. mail, return-receipt requested, a copy of the foregoing documents to the following:

Acting Administrator James C. Owens
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20950

Johnathan C. Morrison, Chief Counsel
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20950

Administrator Andrew R. Wheeler
Office of the Administrator (1101A)
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460

Correspondence Control Unit
Office of General Counsel (2311)
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460

Jeffrey Bossert Clark
Assistant Attorney General
Environmental and Natural Resources Division
U.S. Department of Justice
950 Pennsylvania Ave., NW
Washington, DC 20530

Hon. William Barr
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Ave., NW
Washington, DC 20530

Date: May 28, 2020

/s/ Brian Tomasovic

South Coast Air Quality Mgmt. District
21865 Copley Dr., Diamond Bar, CA 91765
909.396-3400 | FAX 909.396.2961

*Counsel for Petitioner South Coast Air
Quality Management District*