

## 11.003 Methods of Policy Analysis

### Timeline: Air Quality Policy

#### 1950-1959

- 1955: Air Pollution Control Act is first federal legislation related to air quality, provides funds for federal research in air pollution. Also provides states with training to evaluate pollution and its associated health problems. Does not include sanctions or federal emission standards.

#### 1960-1969

- 1963: Congress passes first Clean Air Act. This original version of the legislation establishes a research and regulatory program and authorizes emission standards for stationary (but not mobile sources).
- 1964: In March, major automakers in California argue that they will not be able to meet the state's emission averaging standard until 1967, but independent manufacturers develop exhaust devices that meet the standard just three months later. As a result, automakers are required to meet the state's standard by 1966. In August, automakers announce engine modifications that circumvent the independently-developed exhaust add-ons, causing those developers to leave the field of emissions controls.
- 1965: Motor Vehicle Air Pollution Control Act (MVAPCA) replaces Title II of the Clean Air Act of 1963 and authorizes the Secretary of Health, Education, and Welfare to promulgate vehicle emission standards. Contains no provisions to change motorist behavior.
- 1967: Air Quality Act expands legislation, mandates enforcement of interstate standards, and authorizes stationary source inspections. Passage of this act is in response to states enacting their own emission standards despite MVAPCA.
- 1967: Secretary of Health, Education, and Welfare John Gardner testifies on technology-following regulations' failure to advance technological development at a congressional hearing. Senator Muskie speaks in support of a shift to technology-forcing.
- 1969: In response to the speed of engine modification developments outlined above, US Justice Dept. files action under Sherman Antitrust Act against automakers' trade association (MVMA) and the member companies, alleging collusion to keep clean technologies from market. The suit is settled that year through a consent judgment that prohibits automakers from exchanging unpublished policy on pollution control devices or jointly filing statements with any government agency authorized to issue emission standards.

#### 1970-1979

- 1970: As a result of negative/inadequate experience with technology-following, California and the federal government shift to technology-forcing policy for automobiles.
- 1970: Clean Air Act extension requires federal and state regulations for both stationary and mobile sources (establishes new regulatory programs). This is considered to be one of three rounds of significant amendments to the CAA, and more specifically the one most responsible for the expansion of federal enforcement. It also abandons technology-following in favor of technology-forcing policy in setting national vehicle emission standards.
- 1970: US EPA established by Nixon and ratified by Congress for the purpose of protecting human health and the environment.
- 1977: Clean Air Act Amendments of 1977 constitute the second round of major amendments and outline requirements for areas attaining and not attaining the National

Ambient Air Quality Standards (NAAQS). Passage of amendments is in response to wave of litigation over the Clean Air Act.

### **1980-1989**

- 1982: Consent judgment from 1969 DOJ case expires.

### **1990-1999**

- 1990: Third and last round of major amendments increase enforcement authority, establish permit program for stationary sources, set additional standards for gasoline emissions, and address pressing environmental concerns such as acid rain, ozone depletion, and toxic air pollution.
- 1990: California launches Low Emission Vehicle (LEV) program.
- 1992: New York and Massachusetts adopt California vehicle emissions standards and pass LEV programs. Motor Vehicle Manufacturer's Association of the United States (MVMA) files suit against New York Department of Environmental Conservation (DEC), alleging that the DEC's adoption of California's LEV standards violates the CAA. The American Automobile Manufacturers Association files action against Massachusetts Department of Environmental Protection (DEP) requesting an injunction—the district court declines to grant the injunction, concluding that the risk of public harm outweighs the risk of "irreparable injury" caused by high emission control costs.
- 1994: US General Accounting Office questions feasibility of California's ZEV mandate, citing issues of battery capacity, manufacturing infrastructure, safety, customer disinterest, and purchase price.
- 1994: 40% of vehicles sold must comply with new tailpipe emission standards outlined in 1990 amendments to Title II of the CAA.
- 1995: US EPA proposes National LEV program for states to adopt in place of the California LEV program.
- 1996: All vehicles sold must comply with new tailpipe emission standards outlined in 1990 amendments to Title II of the CAA.
- 1998: 2% of all vehicles certified for sale in California must be Zero Emission Vehicles (ZEVs)

### **2000-2009**

- 2001: 5% of all vehicles certified for sale in California must be Zero Emission Vehicles (ZEVs)
- 2003: 10% of all vehicles certified for sale in California must be Zero Emission Vehicles (ZEVs)
- 2003: 50% reduction in mobile source emissions required of all vehicles sold.

### **Sources**

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