



Public Law 89-272
89th Congress, S. 306
October 20, 1965

An Act

To amend the Clean Air Act to require standards for controlling the emission of pollutants from certain motor vehicles, to authorize a research and development program with respect to solid-waste disposal, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—AMENDMENTS TO CLEAN AIR ACT

Sec. 101. The Clean Air Act is amended (1) by inserting immediately above the heading of section 1: "TITLE I—AIR POLLUTION PREVENTION AND CONTROL"; (2) by changing the words "this Act" wherever they appear in sections 1 through 7 to "this title"; (3) by redesignating sections 1 through 7 and references thereto as sections 101 through 107; (4) by redesignating sections 8 through 14 and references thereto as sections 301 through 307; (5) by inserting immediately above the heading of the so redesignated section 301: "TITLE III—GENERAL"; (6) by striking out subsection (a) of the so redesignated section 306 and striking out the letter (b) at the beginning of subsection (b) in the so redesignated section 306; (7) by striking out "this Act" in the so redesignated section 306 and inserting in lieu thereof "title I"; and (8) by inserting after the so redesignated section 107 and before the heading of such title III the following new title:

Clean Air Act,
amendment.

77 Stat. 392.
42 USC 1857
note.

"TITLE II—CONTROL OF AIR POLLUTION FROM MOTOR VEHICLES.

"SHORT TITLE

"Sec. 201. This title may be cited as the 'Motor Vehicle Air Pollution Control Act'.

Motor Vehicle
Air Pollution
Control Act.

"ESTABLISHMENT OF STANDARDS

"Sec. 202. (a) The Secretary shall by regulation, giving appropriate consideration to technological feasibility and economic costs, prescribe as soon as practicable standards, applicable to the emission of any kind of substance, from any class or classes of new motor vehicles or new motor vehicle engines, which in his judgment cause or contribute to, or are likely to cause or to contribute to, air pollution which endangers the health or welfare of any persons, and such standards shall apply to such vehicles or engines whether they are designed as complete systems or incorporate other devices to prevent or control such pollution.

79 STAT. 992.
79 STAT. 993

"(b) Any regulations initially prescribed under this section, and amendments thereto, with respect to any class of new motor vehicles or new motor vehicle engines shall become effective on the effective date specified in the order promulgating such regulations which date shall be determined by the Secretary after consideration of the period reasonably necessary for industry compliance.

Effective date.

"PROHIBITED ACTS

"Sec. 203. (a) The following acts and the causing thereof are prohibited—

"(1) in the case of a manufacturer of new motor vehicles or new motor vehicle engines for distribution in commerce, the man-

"(3) The term 'new motor vehicle' means a motor vehicle the equitable or legal title to which has never been transferred to an ultimate purchaser; and the term 'new motor vehicle engine' means an engine in a new motor vehicle or a motor vehicle engine the equitable or legal title to which has never been transferred to the ultimate purchaser.

"(4) The term 'dealer' means any person who is engaged in the sale or the distribution of new motor vehicles or new motor vehicle engines to the ultimate purchaser.

"(5) The term 'ultimate purchaser' means, with respect to any new motor vehicle or new motor vehicle engine, the first person who in good faith purchases such new motor vehicle or new engine for purposes other than resale.

"(6) The term 'commerce' means (A) commerce between any place in any State and any place outside thereof; and (B) commerce wholly within the District of Columbia.

"APPROPRIATIONS

"Sec. 209. There is hereby authorized to be appropriated to carry out this title II, not to exceed \$470,000 for the fiscal year ending June 30, 1966, not to exceed \$845,000 for the fiscal year ending June 30, 1967, not to exceed \$1,195,000 for the fiscal year ending June 30, 1968, and not to exceed \$1,470,000 for the fiscal year ending June 30, 1969."

Sec. 102. (a) Paragraph (1) of subsection (c) of the redesignated section 105 of the Clean Air Act (which relates to abatement of air pollution) is amended by adding at the end thereof the following new subparagraph:

"(D) Whenever the Secretary, upon receipt of reports, surveys, or studies from any duly constituted international agency, has reason to believe that any pollution referred to in subsection (a) which endangers the health or welfare of persons in a foreign country is occurring, or whenever the Secretary of State requests him to do so with respect to such pollution which the Secretary of State alleges is of such a nature, the Secretary of Health, Education, and Welfare shall give formal notification thereof to the air pollution control agency of the municipality where such discharge or discharges originate, to the air pollution control agency of the State in which such municipality is located, and to the interstate air pollution control agency, if any, in the jurisdictional area of which such municipality is located, and shall call promptly a conference of such agency or agencies. The Secretary shall invite the foreign country which may be adversely affected by the pollution to attend and participate in the conference, and the representative of such country shall, for the purpose of the conference and any further proceeding resulting from such conference, have all the rights of a State air pollution control agency. This subparagraph shall apply only to a foreign country which the Secretary determines has given the United States essentially the same rights with respect to the prevention or control of air pollution occurring in that country as is given that country by this subparagraph."

(b) So much of section (f) of such redesignated section 105 as precedes clause (2) of such subsection is amended to read as follows: "(f) If action reasonably calculated to secure abatement of the pollution within the time specified in the notice following the public hearing is not taken, the Secretary—

"(1) in the case of pollution of air which is endangering the health or welfare of persons (A) in a State other than that in which the discharge or discharges (causing or contributing to

77 Stat. 396. 42 USC 1857d.

Foreign countries endangered by air pollution.

Restriction.

Judicial proceedings.

such pollution) originate, or (B) in a foreign country which has participated in a conference called under subparagraph (D) of subsection (c) of this section and in all proceedings under this section resulting from such conference, may request the Attorney General to bring a suit on behalf of the United States to secure abatement of the pollution, and"

Sec. 103. Redesignated section 103 of the Clean Air Act (which relates to research, investigations, and training) is amended—

(1) by striking out the word "and" at the end of paragraphs (1), (2), and (3) of subsection (a) thereof;

(2) by striking out the period at the end of paragraph (4) of subsection (a) thereof and inserting in lieu thereof "and";

(3) by adding after paragraph (4) of subsection (a) thereof the following new paragraph (5):

"(5) conduct and accelerate research programs (A) relating to the means of controlling hydrocarbon emissions resulting from the evaporation of gasoline in carburetors and fuel tanks, and the means of controlling emissions of oxides of nitrogen and aldehydes from gasoline-powered or diesel-powered vehicles, and to carry out such research the Secretary shall consult with the technical committee established under section 106 of this Act, and for research concerning diesel-powered vehicles he may add to such committee such representatives from the diesel-powered vehicle industry as he deems appropriate; and (B) directed toward the development of improved low-cost techniques designed to reduce emissions of oxides of sulfur produced by the combustion of sulfur-containing fuels"; and

(4) by adding at the end of such section the following new subsections:

"(d) The Secretary is authorized to construct such facilities and staff and equip them as he determines to be necessary to carry out his functions under this Act.

"(e) If, in the judgment of the Secretary, an air pollution problem of substantial significance may result from discharge or discharges into the atmosphere, he may call a conference concerning this potential air pollution problem to be held in or near one or more of the places where such discharge or discharges are occurring or will occur. All interested persons shall be given an opportunity to be heard at such conference, either orally or in writing, and shall be permitted to appear in person or by representative in accordance with procedures prescribed by the Secretary. If the Secretary finds, on the basis of the evidence presented at such conference, that the discharge or discharges if permitted to take place or continue are likely to cause or contribute to air pollution subject to abatement under section 105 (a), he shall send such findings, together with recommendations concerning the measures which he finds reasonable and suitable to prevent such pollution, to the person or persons whose actions will result in the discharge or discharges involved; to air pollution agencies of the State or States and of the municipality or municipalities where such discharge or discharges will originate; and to the interstate air pollution control agency, if any, in the jurisdictional area of which any such municipality is located. Such findings and recommendations shall be advisory only, but shall be admitted, together with the record of the conference, as part of the record of proceedings under subsections (c), (d), and (e) of section 105."

Ante, p. 995.

77 Stat. 394. 42 USC 1857b.

Research programs.

42 USC 1857e.

Construction c facilities, etc

Potential air pollution problems.

42 USC 1857d.