

119TH CONGRESS
1ST SESSION

S. _____

To amend the Clean Air Act to prohibit State standards relating to the control of emissions from existing locomotives and engines used in locomotives, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. ERNST introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Clean Air Act to prohibit State standards relating to the control of emissions from existing locomotives and engines used in locomotives, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Lifting Overburden-
5 some Commerce Obstructions and Motives Act” or the
6 “LOCOMOTIVES Act”.

1 **SEC. 2. PROHIBITION ON STATE STANDARDS RELATING TO**
2 **THE CONTROL OF EMISSIONS FROM EXIST-**
3 **ING LOCOMOTIVES AND ENGINES USED IN**
4 **LOCOMOTIVES.**

5 Section 209(e)(1) of the Clean Air Act (42 U.S.C.
6 7543(e)(1)) is amended—

7 (1) by striking “either of the following new
8 nonroad engines or nonroad vehicles subject to regu-
9 lation under this Act—” and inserting “any of the
10 following nonroad engines or nonroad vehicles:”;

11 (2) in subparagraph (A), by striking “which are
12 used in construction equipment or vehicles or used
13 in farm equipment or vehicles and which are smaller
14 than 175 horsepower.” and inserting “, which are—

15 “(i) used in construction equipment or
16 vehicles or used in farm equipment or vehi-
17 cles;

18 “(ii) smaller than 175 horsepower;
19 and

20 “(iii) subject to regulation under this
21 Act.”;

22 (3) in subparagraph (B), by inserting “, which
23 are subject to regulation under this Act” after “in
24 locomotives”; and

25 (4) by adding at the end the following:

1 “(C) Locomotives or engines used in loco-
2 motives—

3 “(i) other than the locomotives and
4 engines described in subparagraph (B);
5 and

6 “(ii) which are engaged in commerce,
7 which shall encompass all locomotives en-
8 gaged in providing common carrier railroad
9 transportation for compensation pursuant
10 to section 10102 of title 49, United States
11 Code.”.