

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

COMPETITIVE ENTERPRISE
INSTITUTE, ANTHONY
KREUCHER, WALTER M.
KREUCHER, JAMES LEEDY,
and MARC SCRIBNER,

Petitioners,

v.

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

Respondents.

No. 20-

PETITION FOR REVIEW

Pursuant to the Energy Policy and Conservation Act, 49 U.S.C. § 32909, the Clean Air Act § 307(b)(1), 42 U.S.C. § 7607(b)(1), Section 702 of the Administrative Procedure Act, 5 U.S.C. § 702, Rule 15 of the Federal Rules of Appellate Procedure, and D.C. Circuit Rule 15, the Competitive Enterprise

Institute, Anthony Kreucher, Walter M. Kreucher, James Leedy and Marc Scribner hereby petition this Court to review the rule titled “The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks” which was published in the Federal Register at 85 Fed. Reg. XXXXX-XX (April 30, 2020). The grounds for this lawsuit, inter alia, are that, contrary to law, the agencies failed to adequately consider the adverse traffic safety impacts of their chosen fuel economy standards.

A copy of the challenged final rule is attached as Exhibit A to this Petition.

Dated: April 30, 2020

Respectfully submitted,

/s/ Devin Watkins

Devin Watkins, D.C. Circuit #60334

Sam Kazman

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Attorneys for Petitioners

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RULE 26.1 DISCLOSURE STATEMENT

Pursuant to Fed. R. App. P. 26.1 and D.C. Cir. Rule 26.1, Petitioner Competitive Enterprise Institute provides the following corporate disclosure statement. The other petitioners are individuals for whom no statement is necessary.

The Competitive Enterprise Institute (“CEI”) is a nonprofit, nonstock corporation organized under the laws of the District of Columbia. CEI has no parent corporation, and no publicly held company owns 10 percent or more of its stock.

CEI is a public interest organization dedicated to the principles of limited constitutional government and free enterprise. CEI engages in research, education, litigation, and advocacy on a broad range of regulatory and constitutional issues.

Dated: April 30, 2020

Respectfully submitted,

/s/ Devin Watkins

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Attorneys for Petitioners

CERTIFICATE OF SERVICE

I, Charles Devin Watkins, hereby certify that the foregoing petition for review and Rule 26.1 Disclosure Statement is being served by first-class mail this 30th day of April, 2020 upon:

Hon. Andrew R. Wheeler
Office of the Administrator (1101A)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Hon. James C. Owens
Acting Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
West Building
Washington, D.C. 20590

/s/ Devin Watkins
Devin Watkins, D.C. Circuit #60334

Exhibit A