

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT**

STATE OF WEST VIRGINIA,  
COMMONWEALTH OF  
KENTUCKY, STATE OF  
ALABAMA, STATE OF ALASKA,  
STATE OF ARKANSAS, STATE  
OF FLORIDA, STATE OF  
GEORGIA, STATE OF IDAHO,  
STATE OF IOWA, STATE OF  
INDIANA, STATE OF KANSAS,  
STATE OF LOUISIANA, STATE  
OF MISSISSIPPI, STATE OF  
MISSOURI, STATE OF  
MONTANA, STATE OF  
NEBRASKA, STATE OF NEW  
HAMPSHIRE, STATE OF NORTH  
DAKOTA, STATE OF OHIO,  
STATE OF OKLAHOMA, STATE  
OF TEXAS, STATE OF SOUTH  
CAROLINA, STATE OF SOUTH  
DAKOTA, STATE OF UTAH,  
COMMONWEALTH OF VIRGINIA,  
and STATE OF WYOMING,

Petitioners,

v.

NATIONAL HIGHWAY TRAFFIC  
SAFETY ADMINISTRATION;  
SOPHIE SHULMAN, Deputy  
Administrator, National Highway  
Traffic Safety Administration, and  
PETE BUTTIGIEG, Secretary,  
United States Department of  
Transportation,

No. 24-\_\_\_\_\_

Respondents.

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## **PETITION FOR REVIEW**

Under 49 U.S.C. § 32909(a), 5 U.S.C. §§ 702 and 706, and Federal Rule of Appellate Procedure 15(a), the State of West Virginia, the Commonwealth of Kentucky, the States of Alabama, Alaska, Arkansas, Florida, Georgia, Idaho, Iowa, Indiana, Kansas, Louisiana, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Dakota, Ohio, Oklahoma, Texas, South Carolina, South Dakota, Utah, the Commonwealth of Virginia, and the State of Wyoming, petition this Court for review of the final agency action taken by Respondents National Highway Traffic Safety Administration, Sophie Shulman (Deputy Administrator, National Highway Traffic Safety Administration), and Pete Buttigieg (Secretary, United States Department of Transportation), entitled “Corporate Average Fuel Economy Standards for Passenger Cars and Light Trucks for Model Years 2027 and Beyond and Fuel Efficiency Standards for Heavy-Duty Pickup Trucks and Vans for Model Years 2030 and Beyond,” 89 Fed. Reg. 52,540 (June 24, 2024). Petitioners have attached a copy of that final rule.

Petitioners will show that the final rule exceeds the agency's statutory authority and otherwise is arbitrary, capricious, an abuse of discretion, and not in accordance with law. Petitioners thus ask that this Court declare unlawful and vacate the Deputy Administrator's final action.

Respectfully submitted,

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## CERTIFICATE OF SERVICE

I certify that, on June 26, 2024, I electronically filed the foregoing Petition for Review with the United States Court of Appeals for the Sixth Circuit through the Court's CM/ECF system.

I further certify that I will cause a true and correct copy of this petition for review, having been stamped by the Court with the date of filing, to be addressed as follows and sent by overnight Federal Express to:

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