

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3684
OFFERED BY MR. GARCÍA OF ILLINOIS**

At the end of title VI of division D of the bill, add
the following:

1 SEC. ____. FREIGHT RAILROAD LOCOMOTIVE REQUIRE-
2 MENTS.

3 (a) REQUIREMENTS FOR CLASS I LOCOMOTIVES.—

4 A Class I railroad may only operate a locomotive on the
5 freight railroad interchange system on or after January
6 1, 2030, if—

7 (1) the locomotive was manufactured on or
8 after January 1, 2008;

9 (2) the primary NO_x and PM emissions on the
10 Environmental Protection Agency certificate of con-
11 formity for the locomotive are equal to or cleaner
12 than the cleanest available locomotive; or

13 (3) the locomotive has not exceeded a total of
14 89,100 MWhs of operation since its original engine
15 build date.

16 (b) CERTIFICATION REQUIRED.—To be eligible to
17 own or operate a locomotive covered by subsection (a) on
18 the United States freight railroad interchange system on

1 or after January 1, 2030, a Class I railroad shall certify
2 to the Secretary that such locomotive meets the require-
3 ments of this section.

4 (c) EFFECTUATION.—The Secretary is authorized to
5 issue such regulations as are necessary to carry out this
6 section.

7 (d) DEFINITIONS.—In this section:

8 (1) CERTIFICATE OF CONFORMITY.—The term
9 “certificate of conformity” means the document that
10 the Environmental Protection Agency issues to an
11 engine manufacturer to certify that an engine class
12 conforms to Environmental Protection Agency re-
13 quirements.

14 (2) CLEANEST AVAILABLE LOCOMOTIVE.—The
15 term “cleanest available locomotive” means the
16 strictest standard set by the Environmental Protec-
17 tion Agency for the applicable locomotive under sec-
18 tion 213 of the Clean Air Act (42 U.S.C. 7547).

