

117TH CONGRESS  
2D SESSION

# H. R. 8771

To amend title 23, United States Code, to withhold Federal highway funding from a State that prohibits the sale of motor vehicles that are not a zero-emission vehicles, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 6, 2022

Mr. BOST (for himself, Mr. LAMALFA, and Mr. ELLZEY) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend title 23, United States Code, to withhold Federal highway funding from a State that prohibits the sale of motor vehicles that are not a zero-emission vehicles, 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 “Options for Ownership  
5 Act”.

1 **SEC. 2. ZERO-EMISSION VEHICLES.**

2 (a) IN GENERAL.—Chapter 1 of title 23, United  
3 States Code, is amended by adding at the end the fol-  
4 lowing:

5 **“§ 177. Zero-emission vehicles**

6 “(a) WITHHOLDING OF FUNDS FOR NONCOMPLI-  
7 ANCE.—

8 “(1) IN GENERAL.—The Secretary shall with-  
9 hold 15 percent of the amount required to be appor-  
10 tioned to any State under section 104 on the first  
11 day of each fiscal year in which the sale of a motor  
12 vehicle in such State that is not a zero-emission ve-  
13 hicle is prohibited.

14 “(2) EXCEPTION.—This subsection shall not  
15 apply to any State that imposes a fee on motor vehi-  
16 cles that is comparable in revenue to a gasoline tax.

17 “(b) EFFECT OF WITHHELD FUNDS.—

18 “(1) FUNDS NOT AVAILABLE TO NONCOM-  
19 PLYING STATE.—No funds withheld under this sec-  
20 tion from apportionment to any State shall be avail-  
21 able for apportionment to such State.

22 “(2) REAPPORTIONMENT OF WITHHELD  
23 FUNDS.—Any funds that are withheld from appor-  
24 tionment to any State under this section shall be re-  
25 apportioned to the other States.

1       “(c) ZERO-EMISSION VEHICLE.—In this section, the  
2 term ‘zero-emission vehicle’ means a vehicle that produces  
3 zero exhaust emissions of any air pollutant for which a  
4 national ambient air quality standard has been promul-  
5 gated under section 109 of the Clean Air Act (42 U.S.C.  
6 7409) under any and all possible operational modes and  
7 conditions.”.

8       (b) CLERICAL AMENDMENT.—The analysis for chap-  
9 ter 1 of title 23, United States Code, is amended by add-  
10 ing at the end the following:

“177. Zero-emission vehicles.”.

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