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Truck & Engine Manufacturers Association Files Motion to Intervene in Litigation Related to GHG Phase 3

Chicago, IL — The **Truck and Engine Manufacturers Association (EMA)** today filed a Motion to Intervene as Respondents in support of the application of the major questions doctrine to the repeal of the Heavy-Duty GHG Phase 3 regulation.

“EMA remains committed to the transition of cleaner-emissions technologies and supports innovation that reduces the environmental impact for the U.S. trucking industry. At the same time, EMA is exercising the legal right to intervene when unrealistic timelines and technology mandates risk undermining long-term investment and regulatory certainty for manufacturers and our customers,” said EMA President Jacqueline Gelb.

About GHG Phase 3

GHG Phase 3, which is scheduled to go into effect on January 1, 2027, mandates that a large and annually increasing portion of each manufacturer’s sales must be zero-emissions vehicles (ZEVs). Crucially, this mandate fails to account for the fact that manufacturers cannot meet the standard unless trucking fleets – EMA member company’s customers – *choose to purchase those vehicles*.

The mandate compels a fundamental and economically significant market shift that restricts trucking fleets’ ability to select the type of vehicle that best meets their diverse business and operational needs.

“EMA member companies have invested significant capital to successfully implement emissions standards, including the Environmental Protection Agency’s (EPA’s) GHG Phase 1 and Phase 2 rules,” said Gelb. “Those standards were successful because they were supported by fleet demand for technologies that met the performance demand requirements, delivered operational savings for EMA customers and successfully reduced emissions. Despite the fact that manufacturers have invested tens of billions of dollars to develop and bring to market zero-emission heavy-duty vehicles, the GHG Phase 3 sales mandate should not be the means to shift the market to zero emission technologies.”

About the litigation

The U.S. Supreme Court recently confirmed that under the major questions doctrine, when acting on issues of vast economic and political significance, agencies must be unambiguously empowered by Congress through specific statutory language. The Clean Air Act does not grant EPA the authority to force the goods-movement industry to make its proposed massive transition from vehicles powered by internal combustion engines at the start of 2027 model year, less than nine months from now. EMA's motion to intervene asks the U.S. Court of Appeals for the D.C. Circuit to confirm the major questions doctrine applies to the GHG Phase 3 rule.

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The Truck and Engine Manufacturers Association (EMA) represents the world's leading manufacturers of internal combustion engines and medium-and heavy-duty commercial vehicles. EMA works with governments and other stakeholders to ensure that regulatory standards are technology feasible, cost effective, and successful. By continually improving engine and vehicle technologies, EMA's members are in the forefront of providing clean and efficient products that meet their customers' business needs.