

Case No. \_\_\_\_\_

**UNITED STATES COURT OF APPEALS  
FOR THE SECOND CIRCUIT**

NATURAL RESOURCES DEFENSE COUNCIL, INC.; SIERRA CLUB; and  
CENTER FOR BIOLOGICAL DIVERSITY,

Petitioners,

v.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION; JACK  
DANIELSON, in his capacity as Acting Deputy Administrator of the  
National Highway Traffic Safety Administration; the UNITED STATES  
DEPARTMENT OF TRANSPORTATION; and ELAINE CHAO, in her  
capacity as Secretary of the United States Department of Transportation

Respondents.

---

**PETITION FOR REVIEW  
of a final rule of the National Highway Traffic Safety Administration**

---

Ian Fein  
Irene Gutierrez  
Michael Wall  
Natural Resources Defense Council  
111 Sutter St., 20th Floor  
San Francisco, CA 94104  
(415) 875-6100  
ifein@nrdc.org  
igutierrez@nrdc.org  
mwall@nrdc.org  
*Counsel for Natural Resources  
Defense Council*

Joanne Spalding  
Alejandra Núñez  
Sierra Club  
2101 Webster Street, Suite 1300  
Oakland, CA 94612  
(415) 997-5725  
joanne.spalding@sierraclub.org  
alejandra.nunez@sierraclub.org  
*Counsel for Sierra Club*

Vera Pardee  
Center for Biological Diversity  
1212 Broadway, Suite 800  
Oakland, CA 94612  
(415) 632-5317  
vpardee@biologicaldiversity.org  
*Counsel for Center for Biological  
Diversity*

Dated: September 7, 2017

## PETITION FOR REVIEW

Pursuant to 49 U.S.C. § 32909, 5 U.S.C. § 702 et seq., and Rule 15 of the Federal Rules of Appellate Procedure, the Natural Resources Defense Council, Sierra Club, and Center for Biological Diversity hereby petition this Court to review and set aside a final rule of the National Highway Traffic Safety Administration indefinitely delaying the effective date of an earlier final rule that increased the civil penalty rate for violations of Corporate Average Fuel Economy standards. The challenged rule was published in the Federal Register at 82 Fed. Reg. 32,139 (July 12, 2017).

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

Dated: September 7, 2017

Respectfully submitted,

/s/ Ian Fein

Ian Fein

Irene Gutierrez

Michael Wall

Natural Resources Defense Council

111 Sutter St., 21st Floor

San Francisco, CA 94104

(415) 875-6100

ifein@nrdc.org

igutierrez@nrdc.org

mwall@nrdc.org

*Counsel for Petitioner Natural Resources  
Defense Council*

Joanne Spalding  
Alejandra Núñez  
Sierra Club  
2101 Webster Street, Suite 1300  
Oakland, CA 94612  
(415) 997-5725  
joanne.spalding@sierraclub.org  
alejandra.nunez@sierraclub.org

*Counsel for Petitioner Sierra Club*

Vera Pardee  
Center for Biological Diversity  
1212 Broadway, Suite 800  
Oakland, CA 94612  
(415) 632-5317  
vpardee@biologicaldiversity.org

*Counsel for Petitioner Center for Biological  
Diversity*