Syllabus

NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States* v. *Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

# SUPREME COURT OF THE UNITED STATES

Syllabus

## ENGINE MANUFACTURERS ASSOCIATION ET AL. *v.* SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT ET AL.

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

No. 02–1343. Argued January 14, 2004—Decided April 28, 2004

Respondent South Coast Air Quality Management District (District)—the California subdivision responsible for air pollution control in the Los Angeles metropolitan area—enacted six Fleet Rules prohibiting the purchase or lease by various public and private fleet operators of vehicles that do not comply with requirements in the Rules. Petitioner Engine Manufacturers Association sued the District and its officials, claiming that the Fleet Rules were pre-empted by §209 of the federal Clean Air Act (CAA), which prohibits the adoption or attempted enforcement of any state or local "standard relating to the control of emissions from new motor vehicles or new motor vehicle engines," 42 U. S. C. §7543(a). In upholding the Rules, the District Court found that they were not "standard[s]" under §209 because they regulate only the purchase of vehicles that are otherwise certified for sale in California, and distinguished decisions of the First and Second Circuits pre-empting similar state laws as involving a restriction on vehicle sales rather than vehicle purchases. The Ninth Circuit affirmed.

*Held:*

1. The Fleet Rules do not escape pre-emption just because they address the purchase of vehicles, rather than their manufacture or sale. Neither the District Court's interpretation of "standard" to include only regulations that compel manufacturers to meet specified emission limits nor its resulting distinction between purchase and sales restrictions finds support in §209(a)'s text or the CAA's structure. The ordinary meaning of language employed by Congress is assumed

accurately to express its legislative purpose. *Park 'N Fly, Inc.* v. *Dollar Park & Fly, Inc.,* 469 U. S. 189, 194. Today, as when §209(a) became law, "standard" means that which "is established by authority, custom, or general consent, as a model or example; criterion; test." Webster's Second New International Dictionary 2455. The criteria referred to in §209 relate to the emission characteristics of a vehicle or engine. This interpretation is consistent with the use of "standard" throughout Title II of the CAA. Defining "standard" to encompass only production mandates confuses standards with methods of enforcing standards. Manufacturers (or purchasers) can be made responsible for ensuring that vehicles comply with emission standards, but the standards themselves are separate from enforcement techniques. While standards target vehicles and engines, standard-enforcement efforts can be directed toward manufacturers or purchasers. This distinction is borne out in the enforcement provisions immediately following CAA §202. And §246, which requires federal purchasing restrictions, shows that Congress contemplated the enforcement of emission standards through purchase requirements. A purchase/sale distinction also makes no sense, since a manufacturer's right to sell federally approved vehicles is meaningless absent a purchaser's right to buy them. Pp. 5–11.

2. While at least certain aspects of the Fleet Rules appear to be pre-empted, the case is remanded for the lower courts to address, in light of the principles articulated here, questions neither passed on below nor presented in the certiorari petition that may affect the ultimate disposition of petitioners' suit. Pp. 11–12.

309 F. 3d 550, vacated and remanded.

SCALIA, J., delivered the opinion of the Court, in which REHNQUIST, C. J., and STEVENS, O'CONNOR, KENNEDY, THOMAS, GINSBURG, and BREYER, JJ., joined. SOUTER, J., filed a dissenting opinion.