

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**

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Dated: September 7, 2017

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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

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FEDERAL RULE 26.1 CORPORATE DISCLOSURE STATEMENT

Petitioners Natural Resources Defense Council, Inc. (NRDC), Sierra Club, and Center for Biological Diversity are non-profit organizations with no parent corporation and no outstanding stock shares or other securities in the hands of the public. NRDC, Sierra Club, and Center for Biological Diversity do not have any parent, subsidiary, or affiliate that has issued stock shares or other securities to the public. No publicly held corporation owns any stock in NRDC, Sierra Club, or Center for Biological Diversity.

Dated: September 7, 2017

Respectfully submitted,

/s/ Ian Fein

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CERTIFICATE OF SERVICE

I hereby certify that I caused the foregoing Petition for Review, the exhibit thereto, and the Federal Rule 26.1 Corporate Disclosure Statement to be served by certified mail upon the following:

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Dated: September 7, 2017

/s/ Ian Fein

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