

# MANDATE

## United States Court of Appeals FOR THE SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 23<sup>rd</sup> day of April, two thousand eighteen.

Present: Ralph K. Winter,  
Rosemary S. Pooler,  
Barrington D. Parker,  
*Circuit Judges.*

Natural Resources Defense Council, Sierra Club, Center for Biological Diversity, State of California, State of Maryland, State of New York, State of Pennsylvania, State of Vermont,

*Petitioners,*

v.

Nos. 17-2780 (L),  
17-2806 (con)

National Highway Traffic Safety Administration,  
Jack Danielson, in his capacity as Acting Deputy Administrator of the National Highway Traffic Safety Administration, United States Department of Transportation, Elaine Chao, in her capacity as Secretary of the United States Department of Transportation,

*Respondents,*

Association of Global Automakers, Alliance of Automobile Manufacturers, Inc.,

*Intervenors.*

Upon due consideration, it is hereby **ORDERED, ADJUDGED AND DECREED** that the petitions for review are **GRANTED**. The final rule, Civil Penalties, 82 Fed. Reg. 32,139 (July 12, 2017), is hereby **VACATED**. An opinion shall follow in due course.

The mandate shall issue forthwith.

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

 Catherine O'Hagan Wolfe



FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk

 Catherine O'Hagan Wolfe



**MANDATE ISSUED ON 04/23/2018**