

[DISCUSSION DRAFT]

119TH CONGRESS
2^D SESSION

H. R. _____

To direct the Administrator of the Environmental Protection Agency to issue regulations incorporating certain guidance, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mrs. FEDORCHAK introduced the following bill; which was referred to the Committee on _____

A BILL

To direct the Administrator of the Environmental Protection Agency to issue regulations incorporating certain guidance, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “DEF Monitoring Flexi-
5 bility Act”.

1 **SEC. 2. INCREASING MONITORING ABILITIES FOR DIESEL**
2 **ENGINES.**

3 (a) **RULEMAKING REQUIRED.**—Not later than 180
4 days after the date of enactment of this Act, the Adminis-
5 trator of the Environmental Protection Agency shall issue
6 regulations incorporating the guidance entitled “DEF
7 Quality Monitoring Using Alternate Sensor Technologies”,
8 issued on March 26, 2026, and designated as IACD–
9 2026–05. The regulations shall conform to such guidance
10 and shall apply to diesel engines and vehicles equipped
11 with selective catalytic reduction emission controls, as ap-
12 plicable under part 1039 and section 1068.50 of title 40,
13 Code of Federal Regulations.

14 (b) **RECOGNITION OF NOX SENSORS UNDER AD-**
15 **JUSTABLE PARAMETER PROVISIONS.**—The regulations
16 issued under subsection (a) shall authorize, with respect
17 to diesel engines and vehicles equipped with selective cata-
18 lytic reduction emission controls, use of NOx sensors to
19 monitor diesel exhaust fluid quality, or to detect poor die-
20 sel exhaust fluid quality, through monitoring of NOx con-
21 centration, NOx conversion, or selective catalytic reduction
22 catalyst efficiency to demonstrate compliance with adjust-
23 able parameter requirements administered by the Admin-
24 istrator.

25 (c) **NO EXCLUSION OF NOX SENSORS.**—In issuing
26 regulations under subsection (a), the Administrator may

1 not interpret the adjustable parameter provisions in a
2 manner that excludes or disfavors the use of NO_x sensors
3 solely because such sensors do not directly measure diesel
4 exhaust fluid quality, if the manufacturer demonstrates
5 compliance consistent with the regulations issued under
6 subsection (a).

7 **SEC. 3. CROSS-SECTOR FLEXIBILITY FOR INDUCEMENTS.**

8 (a) **RULEMAKING REQUIRED.**—Not later than 180
9 days after the date of enactment of this Act, the Adminis-
10 trator shall issue regulations incorporating the guidance
11 entitled “Revised Guidance for Light Duty Vehicles,
12 Heavy-Duty Diesel Engines and Nonroad Compression-Ig-
13 nition (CI) Engines Using Selective Catalytic Reduction
14 (SCR) Technologies”, issued on August 11, 2025, and
15 designated as IACD–2025–10, including the enclosure to
16 such guidance and the inducement strategies, timing pro-
17 visions, exceptions, override provisions, and related imple-
18 mentation provisions set forth therein.

19 (b) **COVERED PRODUCTS.**—The regulations issued
20 under subsection (a) shall apply to vehicles and engines
21 certified under section 1036.111 of title 40, Code of Fed-
22 eral Regulations, including heavy-duty truck and tractor
23 engines, motor coach engines, chassis-certified vehicles,
24 and nonroad compression-ignition engines using selective
25 catalytic reduction technology.

1 (c) MINIMUM CONTENT.—The regulations issued
2 under subsection (a) shall, at a minimum—

3 (1) for all heavy-duty truck or tractor engines,
4 provide—

5 (A) an initial inducement that becomes ac-
6 tive not later than 650 miles or 10 hours after
7 the engine confirms a fault, consisting of a 15
8 percent ramped torque derate;

9 (B) a secondary inducement that becomes
10 active not later than 4,200 miles or 80 hours
11 after the engine confirms a fault, consisting of
12 a 30 percent ramped torque derate; and

13 (C) a final inducement that becomes active
14 not later than 8,400 miles or 160 hours after
15 the engine confirms a fault, consisting of a 25
16 mile-per-hour speed limit;

17 (2) for motor coach engines, provide—

18 (A) an initial inducement that becomes ac-
19 tive not later than 3,000 miles or 40 hours
20 after the engine confirms a fault, consisting of
21 a 10 percent ramped torque derate;

22 (B) no secondary inducement requirement;
23 and

24 (C) a final inducement that becomes active
25 not later than 10,500 miles or 200 hours after

1 the engine confirms a fault, consisting of a 50
2 mile-per-hour speed limit;

3 (3) for chassis-certified vehicles, provide—

4 (A) no initial inducement requirement;

5 (B) no secondary inducement requirement;

6 and

7 (C) a final inducement that becomes active
8 not later than 4,200 miles or 80 hours after the
9 engine confirms a fault, consisting of a 45 mile-
10 per-hour speed limit;

11 (4) for nonroad compression-ignition engines,
12 provide—

13 (A) an initial inducement that becomes ac-
14 tive not later than 36 hours after the engine
15 confirms a fault, consisting of a 25 percent
16 torque derate; and

17 (B) a final inducement that becomes active
18 not later than 100 hours after the engine con-
19 firms a fault, consisting of either—

20 (i) no restart or idle-only operation; or

21 (ii) a 50 percent torque derate; and

22 (5) provide that, for purposes of paragraphs (1)
23 through (4), the hours and miles described in such
24 paragraphs shall be measured from the time at
25 which the engine confirms a fault, and that a manu-

1 factorer may remove a torque derate once the appli-
2 cable final inducement speed limit takes effect.

3 **SEC. 4. CLARIFICATION OF MAINTENANCE OVERRIDE.**

4 Section 203(a) of the Clean Air Act (42 U.S.C.
5 7522(a)) is amended—

6 (1) by inserting “, maintenance,” after “pur-
7 pose of repair”; and

8 (2) by inserting “, maintain,” after “procedure
9 to repair”.

10 **SEC. 5. DEFINITIONS.**

11 In this Act:

12 (1) ADMINISTRATOR.—The term “Adminis-
13 trator” means the Administrator of the Environ-
14 mental Protection Agency.

15 (2) NOX.—The term “NOx” means nitrogen
16 oxides.