UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION, THE SAFER AFFORABLE FUEL-EFFICIENT (SAFE) VEHICLES RULE III FOR MODEL YEARS 2022 TO 2031 PASSENGER CARS AND LIGHT TRUCKS, 91 FED. REG. 61,988 (SEPT. 30,2026)

MCP No. 205

(SEE ATTACHED SCHEDULE)

CONSOLIDATION ORDER

The National Highway Traffic Safety Administration, on behalf of the Department of Transportation, issued a final rule regarding the Safer Affordable Fuel-Efficient (SAFE) Vehicle Rule III, which was published in the Federal Register on September 30, 2026. On October 15, 2026, the Panel received, pursuant to 28 U.S.C. § 2112(a)(3), a notice of multicircuit petitions for review of that order. The notice included petitions for review pending in the following six courts of appeal: District of Columbia Circuit, First Circuit, Second Circuit, Fifth Circuit, Sixth Circuit, and Eighth Circuit.

The Panel has randomly selected the United States Court of Appeals for the First Circuit in which to consolidate these petitions for review.

IT IS THEREFORE ORDERED that, pursuant to 28 U.S.C. § 2112(a)(3), the petitions on the attached schedule are consolidated in the United States Court of Appeals for the First Circuit, and that this circuit is designated as the circuit in which the record is to be filed pursuant to Rules 16 and 17 of the Federal Rules of Appellate Procedure.

FOR THE PANEL:

Tanasia Owens; Case Administrator
Random Selector

Jeffrey Layne; Case Administrator
Witness

IN RE: NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPRATMENT OF TRANSPORTAION, THE SAFER AFFORDABLE FUEL-EFFICIENT (SAFE) VEHICLES RULE III FOR MODEL YEARS 2022 TO 2031 PASSENGER CARS AND LIGHT TRUCKS, 91 FED. REG. 61,988 (SEPT 30,2026)

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SCHEDULE OF PETITIONS

CIRCUIT NO.	CASE CAPTION
DC Circuit, No. 26-1261	Center for Biological Diversity, et al. v. NHTSA, et al.
First Circuit, No. 26-2120	State of California, et al v. NHTSA, et al.
Second Circuit, No. 26-2781	Natural Resources Defense Council, Inc. v. NHTSA
Fifth Circuit, No. 26-60867	Texas Food and Fuel Association v. NHTSA, et al.
Sixth Circuit, No. 26-3923	Kentucky Corn Growers Association, et al. v. NHTSA, et al.
Eighth Circuit, No. 26-3041	American Free Enterprise Chamber of Commerce v. NHTSA, et al.