



Bill Rowland

Bill Analysis
Legislative Service Commission

H.B. 24

123rd General Assembly
(As Introduced)

Reps. Grendell, Womer Benjamin, Young, Roman, Jacobson, Hood, Haines

BILL SUMMARY

- Repeals the motor vehicle inspection and maintenance program.
- Requires the Director of Environmental Protection to negotiate with the United States Environmental Protection Agency to explore alternatives to motor vehicle inspection and maintenance programs as a means to achieve and maintain compliance with the federal Clean Air Act in each county.

CONTENT AND OPERATION

Background

The Clean Air Act Amendments of 1990 revised the Clean Air Act requirements for attaining and maintaining national ambient air quality standards. Key provisions are aimed at bringing cities and other areas with ozone and carbon monoxide pollution into compliance with federal standards. States are required to devise and carry out state implementation plans to ensure that federal air quality standards are met. Areas that are below federal standards are referred to as non-attainment areas. Non-attainment areas are further classified as marginal, moderate, serious, severe, or extreme non-attainment according to the severity of the pollution in the area.

In response to the Clean Air Act Amendments of 1990, the Ohio General Assembly enacted Am. Sub. S.B. 18 in 1993. In order to comply with federal requirements, Am. Sub. S.B. 18 required the Director of Environmental Protection to implement and supervise a motor vehicle inspection and maintenance program in any county classified as moderate, serious, severe, or extreme non-attainment. The Director also was required to implement and supervise a basic or enhanced motor vehicle inspection and maintenance program in a county located in an area classified as non-attainment for carbon monoxide or ozone when such a program

was included in the air quality maintenance or contingency plan for the area submitted under the Clean Air Act. (Sec. 3704.14.)

Am. Sub. S.B. 18 also established a process, known as the "opt-in" provision, through which affected local governments could require the Director to implement the enhanced motor vehicle inspection and maintenance program in an area that was classified as moderate non-attainment for ozone or carbon monoxide. Affected metropolitan planning organizations were required to enact a resolution requesting the implementation of enhanced motor vehicle inspection and maintenance, and the legislative authorities of affected counties, municipal corporations, and townships then voted to approve or disapprove enhanced testing. Legislative authorities that failed to approve or disapprove enhanced testing within a certain time period were considered to have approved the enhanced testing program. (Sec. 3704.142.)

As a result of the requirements of the Clean Air Act Amendments, the enactment of Am. Sub. S.B. 18, and the "opt-in" process for enhanced motor vehicle inspection and maintenance by local authorities, motorists in the Cleveland-Akron, Dayton, and Cincinnati areas currently are required to have their cars tested under an enhanced motor vehicle inspection and maintenance program. The enhanced program is operated in these areas under the name "E-Check" by contractors hired under the authority of Am. Sub. S.B. 18. Under the enhanced motor vehicle inspection and maintenance program, motorists in affected areas are required to have their vehicles inspected biennially. In order to have a motor vehicle registered, the owner must have proof that an inspection certificate was issued for the vehicle during the previous 12 months. Certain motor vehicles are exempt from enhanced testing requirements under current law.

Repeal of the motor vehicle inspection and maintenance program

The bill repeals the provisions of law that authorize the implementation and supervision of the motor vehicle inspection and maintenance program. No motor vehicle inspection and maintenance program would be authorized under state law upon enactment of the bill. Provisions requiring that owners of motor vehicles show proof of inspection in order to register their motor vehicles also are repealed by the bill.

Negotiations with USEPA to explore alternatives to the motor vehicle inspection and maintenance program

The bill requires the Director of Environmental Protection to negotiate with the United States Environmental Protection Agency to explore alternatives to motor vehicle inspection and maintenance programs as a means to achieve and



maintain compliance with the Clean Air Act Amendments in each county in the state. Other than implementing motor vehicle inspection and maintenance in a county where it is not required by the Clean Air Act Amendments, the Director is required to take all steps necessary to ensure that each county meets all of the requirements of the Clean Air Act Amendments, including recommending necessary legislation, adopting rules in accordance with the Administrative Procedure Act, and entering into and revoking contracts. (Sec. 3704.14.)

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	01-20-99	p. 89

H0024-I.123/rss

