

As Introduced

**132nd General Assembly
Regular Session
2017-2018**

H. C. R. No. 4

Representative Young

A CONCURRENT RESOLUTION

To urge Congress to amend the Federal Clean Air Act to
eliminate the requirement to implement the E-Check
Program, to urge the Administrator of USEPA to
alleviate burdensome requirements of the E-Check
Program and the Clean Air Act if Congress fails to
act, and to encourage OEPA to explore alternatives to
E-Check.

**BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF
OHIO (THE SENATE CONCURRING):**

WHEREAS, The E-Check Program administered by the Ohio
Environmental Protection Agency (OEPA) imposes burdensome and
costly motor vehicle emissions testing requirements on the
citizenry of Northeast Ohio; and

WHEREAS, E-Check has a disproportionate impact on poor and
middle class citizens because such citizens are more likely to
own older motor vehicles that are subject to the E-Check
Program, and those vehicles are more likely to fail an emissions
test under the Program; and

WHEREAS, The Federal Clean Air Act requires geographic
areas within states that are classified as nonattainment for
specified criteria pollutants to implement emissions reduction
strategies including, in some circumstances, vehicle emissions

testing programs; and 21

WHEREAS, Those geographic areas of states that achieve 22
attainment status under the Federal Clean Air Act are required 23
by the Act to maintain that status; however, attainment areas 24
have more flexibility in developing emissions reduction 25
strategies and, thus, are not required to use a specific 26
strategy such as the E-Check Program; and 27

WHEREAS, The Northeast Ohio area is currently in attainment 28
status based on the most recently available air quality 29
monitoring data; however, OEPA continues to require the 30
implementation of the E-Check Program, notwithstanding that 31
other alternative emissions reduction strategies are available 32
and utilized to maintain attainment in the Cincinnati and Dayton 33
areas; and 34

WHEREAS, Emissions reduction strategies utilized in other 35
areas of Ohio, such as Cincinnati and Dayton, have included the 36
use of Low Reid Vapor Pressure (LRVP) gasoline; however, the 37
amount of emissions credits awarded by the U.S. Environmental 38
Protection Agency (USEPA) for LRVP gasoline has decreased since 39
the time Cincinnati and Dayton implemented that strategy; and 40

WHEREAS, USEPA has made the emissions standards for certain 41
criteria pollutants more stringent, thereby threatening 42
Northeast Ohio's attainment status; and 43

WHEREAS, The inability to implement viable alternatives to 44
E-Check, such as LRVP gasoline, unjustly results in the 45
continued implementation of E-Check in Northeast Ohio; and 46

WHEREAS, OEPA could reallocate money spent on E-Check to 47
more effective emissions reduction initiatives; and 48

WHEREAS, Prevailing winds from manufacturing areas to the 49
west of Northeast Ohio, such as Chicago, Detroit and Toledo, can 50
increase air pollutants in Northeast Ohio, and, in addition, car 51

and truck travel to and through the area regularly results in 52
increased air pollution; now therefore be it 53

RESOLVED, That we, the members of the 132nd General 54
Assembly of the State of Ohio, urge Congress to amend the 55
Federal Clean Air Act to eliminate the requirement to implement 56
the E-Check Program; and be it further 57

RESOLVED, That we, the members of the 132nd General 58
Assembly of the State of Ohio, urge the Administrator of USEPA 59
to alleviate burdensome requirements of the E-Check Program and 60
the Clean Air Act if Congress fails to act, and encourage OEPA 61
to explore alternatives to E-Check; and be it further 62

RESOLVED, That the Clerk of the Ohio House of 63
Representatives transmit duly authenticated copies of this 64
resolution to the members of the Ohio Congressional delegation, 65
the Administrator of the USEPA, the Director of OEPA, and the 66
news media of Ohio. 67