

**As Introduced**

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

**H. C. R. No. 4**

**Representative Young**

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**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