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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

**H.B. 814**  
**136<sup>th</sup> General Assembly**

## Bill Analysis

**Version:** As Introduced

**Primary Sponsor:** Rep. Roemer

Margaret E. Marcy, Attorney

### SUMMARY

- Eliminates E-Check if the U.S. Environmental Protection Agency determines that Ohio is in attainment with specified ambient air quality standards.

### DETAILED ANALYSIS

#### Elimination of E-Check

The bill requires the Director of Environmental Protection to submit a request to the U.S. Environmental Protection Agency (USEPA) requesting that the motor vehicle inspection and maintenance program (commonly known as “E-Check”) be removed as part of Ohio’s state implementation plan if certain criteria are met. Specifically, if the USEPA determines that the areas of the state subject to E-Check are in attainment with the National Ambient Air Quality Standards (NAAQS) for the specified criteria pollutants, including ozone, under the Federal Clean Air Act, the Director must submit the above-described request. If approved, the Director must then immediately discontinue the program and take any action necessary to effectuate the termination of the program.<sup>1</sup>

#### The Clean Air Act

The federal Clean Air Act Amendments of 1990 revised requirements for attaining and maintaining NAAQS for specific criteria pollutants, including ozone and carbon monoxide (CO). The Act was designed to bring areas with high levels of these pollutants into compliance with NAAQS. Under the Act, each state must devise and carry out a state implementation plan to ensure that NAAQS are met and maintained. Areas of a state that violate NAAQS are designated

<sup>1</sup> R.C. 3704.142.

as nonattainment areas.<sup>2</sup> The types of air pollution control measures that an area must implement depend on the category of nonattainment for the respective area. E-Check is considered an enhanced program and required for areas designated as serious or severe nonattainment. The areas of Ohio that are currently required to implement E-Check are Cuyahoga, Geauga, Lake, Lorain, Medina, Portage, and Summit counties.<sup>3</sup>

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## HISTORY

Action	Date
Introduced	04-13-26

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<sup>2</sup> Other criteria pollutants include particulate matter, sulfur dioxide, nitrogen oxides, and lead. See U.S. Environmental Protection Agency (USEPA), [Criteria Air Pollutants](#) and [The Plain English Guide to the Clean Air Act, April 2007 \(PDF\)](#). Both are available at USEPA's website, [epa.gov](http://epa.gov).

<sup>3</sup> Ohio Environmental Protection Agency, [The Purpose of E-Check: Why do only seven counties have e-check?](#), available on OEPA's website, [epa.ohio.gov](http://epa.ohio.gov).