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Diane V. Grendell, State Representative
Ohio's 76th House District

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Chairman Stephens, Vice Chair Stewart, Ranking Member Weinstein, and members of the Energy and Natural Resources Committee,

Thank you for the opportunity to provide sponsor testimony on House Resolution 56, urging the United States Federal Government to review and amend the Federal Clean Air Act, to eliminate the requirement to implement the E-Check Program, and to repeal and replace the 2015 National Ambient Air Quality Standards. I am joined here by my joint-sponsor, Representative Gail Pavliga.

E-Check is perfidious, problematic, punishing mandate perpetuated on our people. Its cost have now exceeded \$19,390,000 for Fiscal Year '20 and Partial Fiscal Year '21, wasting valuable money in our state. Think of all that could be accomplished if this money were to be spent elsewhere. Parents who struggle to pay for their children's medications, businesses that have struggled as a result of COVID-19 mandates, and increased funding for veterans services are but a few that come to mind. Yet, we are wasting \$19+ million dollars for an arbitrary, arduous, and obsolete program.

For too long, Northeast Ohioans in seven counties have faced undue regulations on their vehicles. E-Check was supposed to strengthen our air quality, but it clearly does not reach its intended effect. The ends simply must not be permitted to justify the means. The poorest among us, elderly, students, and lower-class individuals, are consistently forced to make expensive repairs to their vehicles to meet these arbitrary standards. If these individuals are employed, they frequently have to request time off work to schedule E-Check tests and the maintenance required.

The E-Check program requires vehicle owners to conduct an E-Check every two years to determine if their vehicles are emitting high levels of volatile organic compounds, which in turn create ground level ozone. Vehicles older than four model years do not need to be tested. If fail an E-Check, the cost of repair falls solely on the vehicle owner.

Our resolution:

- Calls for the U.S. Congress to reform the review and amend the Federal Clean Air Act;
- Calls for the U.S. EPA to find more effective alternatives to the program;

- Allows for companies to find innovative solutions to air quality issues and help our economy grow.

E-Check provides no significant benefit worthy of impeding our constituents, businesses, and the American Dream. It is imperative that we work to reduce these needless regulations.

Reasons to Stop E-Check

1. 74% of harmful emissions have dropped since 1970; our air is already cleaner. Sophistications in newer vehicle models and computerized systems have reduced harmful emissions;
2. Costs upwards of \$19 million + dollars and does almost nothing to physically ensure our air is clean. Recent data on the program has shown that the average fail rate from 2018-2020 was 7.4%. \$19 million dollars is being spent to regulate this 7.4% of vehicles;
3. The air quality standard was increased in 2015, moving the goal post to reach attainment;
4. Northeast Ohio has been unjustly subjected—it is almost impossible for two of the areas to reach attainment based off the 2015 standards;
 1. Cleveland
 2. Lake County
5. Testing is often contaminated and invalid. Through “Mobile” air quality testing vehicles, less than 5% pass;
6. Testing occurs in extreme places. For example, an air quality monitor in Geauga is placed on a school roof adjacent to a school bus lot where buses park + line up, and over a cafeteria exhaust fan. Lake County, stop light hill;
7. Punishes the poorest in our state—high school students, college students, elderly, and lower class;
8. Does nothing to account for the harmful pollution received from neighboring cities within and outside our state, such as Chicago, Detroit, and Toledo.

We should choose alternatives to the E-Check program that work. For \$19 million dollars, the program has never been worth the cost and inconvenience.

I urge this committee’s support of House Resolution. Representative Pavliga and I are happy to answer any questions you may have on the resolution.

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