

## ASSEMBLY RESOLUTION No. 48

# STATE OF NEW JERSEY

INTRODUCED JANUARY 29, 1996

By Assemblymen DeCROCE, GREGG, Bucco and Asselta

- 1 **AN ASSEMBLY RESOLUTION** urgently requesting the President and the  
2 Congress of the United States to suspend indefinitely the federal  
3 requirement to implement an enhanced inspection and maintenance  
4 program for motor vehicles, and prohibit the imposition of sanctions on the  
5 State until alternative air pollution reduction measures have been  
6 implemented and assessed and federal funding has been provided for the  
7 implementation of federal mandates established to reduce air pollution from  
8 motor vehicles.  
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- 10 **WHEREAS**, The federal Clean Air Act Amendments of 1990 specifically  
11 require areas with populations of 100,000 or more that are located within  
12 an ozone transport region and are in severe nonattainment for ozone to  
13 implement an enhanced inspection and maintenance program within a  
14 certain period of time or be sanctioned by the federal government; and  
15 **WHEREAS**, The entire state of New Jersey is such an area and the State has  
16 been hard-pressed to comply with these requirements by accepting a costly  
17 and unpopular emissions testing program for motor vehicles when the  
18 proposed program may not have the projected environmental benefits of  
19 significantly reducing air pollution in the State; and  
20 **WHEREAS**, The federally required program is estimated to cost the State at  
21 least \$70 million in initial capital costs and \$45 million each year in  
22 continuing operating costs, which are formidable enough, but these  
23 estimates have fluctuated so widely during the planning and development  
24 of the enhanced inspection and maintenance program that the actual costs  
25 may be much higher than currently estimated; and  
26 **WHEREAS**, Because approximately 10 percent of the State's motor vehicles  
27 produce 50 percent of pollution from motor vehicles, it may be more  
28 prudent and cost-effective to concentrate emissions reduction efforts on the  
29 highest polluting vehicles through some other less intrusive technology than  
30 subjecting all of the State's motorists to an unproven testing system that  
31 promises to be extremely costly, disruptive and lacking in effectiveness; and  
32 **WHEREAS**, The financial hardship imposed on the State's motorists will fall  
33 hardest on those least able to afford it, forcing senior citizens and other  
34 persons with fixed or low incomes who drive older cars out of economic  
35 necessity to spend on average \$100 to \$200 for repairs, but in some cases

1 more than \$500, before they will be allowed to register and operate their  
2 vehicles legally in the State; and

3 **WHEREAS**, Although the federal government has required the implementation  
4 of costly programs to reduce air pollution, it has not provided any funding  
5 to the already fiscally-strapped states to fulfill these federal requirements  
6 and therefore should allow states to explore less costly, more effective  
7 alternatives until federal funding is provided; and

8 **WHEREAS**, Alternative strategies exist using technologies and programs that  
9 may be much less costly with the same or better environmental effects than  
10 the enhanced inspection and maintenance program; and

11 **WHEREAS**, These alternative strategies include on-board diagnostic systems  
12 and the development and use of lower emissions vehicles through the 49-  
13 state car program, which was recently approved by the United States  
14 Environmental Protection Agency; and

15 **WHEREAS**, These technologies are not yet in widespread use and the  
16 programs have not been fully implemented, but when they are implemented  
17 in the next few years, they may have greater and more cost-effective air  
18 pollution reduction benefits than the enhanced inspection and maintenance  
19 program; and

20 **WHEREAS**, If the State does not comply with the current federal requirements  
21 and deadlines for implementation of an enhanced inspection and  
22 maintenance program, the State will lose highway funding, economic  
23 expansion will be extremely restricted, and thousands of jobs will be put in  
24 jeopardy when sanctions for noncompliance are imposed; and

25 **WHEREAS**, The President and Congress of the United States must change the  
26 federal law if the program is to be suspended and sanctions avoided; and

27 **WHEREAS**, Many states have delayed in the implementation of motor vehicle  
28 emissions testing programs and the Employer Trip Reduction Program that  
29 was previously required pursuant to the Clean Air Act Amendments of  
30 1990 has been repealed --- clear indications that many provisions of the  
31 federal law demand comprehensive review and reconsideration; and

32 **WHEREAS**, It is altogether fitting and proper for the General Assembly of the  
33 State of New Jersey to urgently request the President and Congress of the  
34 United States to suspend indefinitely the enhanced inspection and  
35 maintenance program and prohibit the imposition of sanctions until  
36 alternative strategies have been implemented and assessed and federal  
37 funding has been provided for fulfilling federal mandates; now, therefore

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39 **BE IT RESOLVED** by the General Assembly of the State of New Jersey:

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41 1. The President and Congress of the United States are urgently requested  
42 to immediately suspend indefinitely the federal requirement to implement an  
43 enhanced inspection and maintenance program for motor vehicles, and

1 prohibit the imposition of sanctions on the State until alternative air pollution  
2 reduction measures have been implemented and assessed and federal funding  
3 has been provided for the implementation of federal mandates established to  
4 reduce air pollution from motor vehicles.

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6 2. Duly authenticated copies of this resolution, signed by the Speaker of  
7 the General Assembly and attested to by the Clerk thereof, shall be  
8 transmitted to the President and the Vice President of the United States, the  
9 members of the Congress of the United States, the Administrator of the United  
10 States Environmental Protection Agency and the Administrator of Region II  
11 of that agency, the Governor of the State, the Commissioner of Environmental  
12 Protection, and the Attorney General.

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#### STATEMENT

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17 This resolution urgently requests the President and the Congress of the  
18 United States to suspend indefinitely the federal requirement to implement an  
19 enhanced inspection and maintenance program for motor vehicles, and  
20 prohibit the imposition of sanctions on the State until alternative air pollution  
21 reduction measures have been implemented and assessed and federal funding  
22 has been provided for the implementation of federal mandates established to  
23 reduce air pollution from motor vehicles.

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28 Urgently requests the President and Congress to suspend indefinitely  
29 implementation of enhanced inspection and maintenance program and prohibit  
30 imposition of sanctions on the State.