



March 2002

### **Vehicle Emissions Testing Program**

To comply with federal Clean Air Act requirements and to reduce ozone pollution levels, Wisconsin operates a vehicle emissions testing program in seven southeastern counties: Kenosha, Milwaukee, Ozaukee, Racine, Sheboygan, Washington, and Waukesha. An estimated 82.4 percent of vehicles registered in the seven-county area are tested every two years to determine whether their emissions of carbon monoxide, hydrocarbons, and nitrogen oxide exceed allowable levels. Approximately 784,000 tests were performed in calendar year 2001.

The program is funded by the State Transportation Fund, federal funds, and general purpose revenue. Expenditures totaled \$11.2 million in fiscal year 2000-01, including \$10.5 million in payments to the private firm that owns and operates the testing stations. The Department of Natural Resources (DNR) ensures that the State complies with federal requirements, and the Department of Transportation (DOT) manages the testing contract.

### **Testing Is Generally More Stringent Than the Federal Model Requires**

Overall, Wisconsin's emissions testing program is generally more stringent than the required federal model developed by the Environmental Protection Agency. For example, a more stringent and accurate emissions test is used in Wisconsin, and a greater number of vehicles are required to be tested. However, Wisconsin tests vehicles every two years, rather than annually. DNR officials report that they took an aggressive approach, in part, because federal highway funds could have been delayed if the State failed to meet federal deadlines. Air quality in Wisconsin has improved because of emissions reduction efforts, and Wisconsin expects to achieve attainment/maintenance status in 2002, five years before a federally required deadline of November 2007.

Motorists do not pay a fee for testing, but they are responsible for the cost of repairs if their vehicles do not meet emissions standards. Unless a vehicle passes the test or receives a waiver, its registration cannot be renewed. Emissions test failure rates increased beginning in May 2001, after the State began testing for nitrogen oxide emissions in order to comply with federal air quality improvement goals. From January through April 2001, failure rates ranged from 8.0 to 9.1 percent; from May through December, they ranged from 14.1 to 18.2 percent. Older vehicles had higher failure rates: for example, those from model year 1991 failed emissions tests 24.3 percent of the time. In contrast, only 1.7 percent of vehicles from model years 1996 through 2000 failed emissions tests in 2001. Both repair costs and the number of repairs increased after nitrogen oxide testing began.

### **DOT Has Not Adequately Managed the Testing Contract**

Envirotest Systems Corporation owns 12 testing stations that it operates under a contract managed by DOT. Since 1996, actual testing volume has been 14.7 to 18.2 percent lower than DOT estimated when the current contract was negotiated. However, DOT has not attempted to renegotiate the payment amount and has not sought financial remedies for performance violations such as long customer waiting times at a number of stations. DOT should clarify language in a planned five-year contract extension to enhance its ability to enforce contract provisions.

### **The Legislature May Wish to Consider Program Changes**

If Wisconsin achieves current federal air quality standards in 2002, the Legislature may wish to consider program

changes. For example, additional model years could be exempted from testing or emissions thresholds could be increased, as long as the State can demonstrate that such program changes would not significantly affect air quality. However, program modifications such as exempting individual counties from testing requirements or ending the sale of reformulated gasoline would require changes to federal law.

Any program changes will also have to consider a new, more stringent ozone standard the Environmental Protection Agency expects to implement in 2002 or 2003. DNR officials believe that the new eight-hour standard could result in 12 counties—Door, Jefferson, Kenosha, Kewaunee, Manitowoc, Milwaukee, Ozaukee, Racine, Rock, Sheboygan, Washington, and Waukesha—being designated nonattainment areas.

\*\*\*\*

[full report, PDF file \(546KB\)](#)