

# House Concurrent Resolution No. 31

## 91<sup>ST</sup> GENERAL ASSEMBLY

4599L.031

**Whereas**, Missouri state government is experiencing a budget crisis; and

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**Whereas**, state government programs are being evaluated, and wasteful,  
ineffective, and costly programs are being eliminated; and

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**Whereas**, the vehicle emissions testing program for the St. Louis area, known as  
the Gateway Clean Air Program, expends considerable resources in testing vehicles shown to  
have clean emissions, fails few grossly polluting vehicles, and is therefore of questionable  
effectiveness in reducing air pollution; and

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**Whereas**, the Gateway Clean Air Program is wasteful and costly for the citizens  
of St. Louis City and St. Louis, St. Charles, Jefferson, and Franklin Counties, the vast majority  
of whom own vehicles with clean emissions; and

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**Whereas**, many of these citizens have experienced first hand the discourteous and  
unfriendly mannerisms of employees of Environmental Systems Products, Inc., the company  
contracted by the Department of Natural Resources to conduct the Gateway Clean Air Program;  
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**Whereas**, Environmental Systems Products, Inc., is not sufficiently accountable  
to the Department of Natural Resources or to the citizens whose money and time are expended  
for this questionable program; and

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24       **Whereas**, many states, including New Jersey, Colorado, Arizona, Minnesota,  
25 Texas, and Ohio, have suspended or terminated their vehicle emissions testing programs; and  
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27       **Whereas**, Virginia has rejected the United States Environmental Protection  
28 Agency's vehicle emissions testing program and established its own program in response to  
29 federal mandates forced upon the states to comply with the 1990 Clean Air Act, as amended; and  
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31       **Whereas**, the Illinois Legislature passed Senate Resolution No. 119 to direct the  
32 State Auditor General to conduct an audit of the Illinois EPA-mandated vehicle emissions testing  
33 program after more than 800 vehicle owners filed a class action lawsuit against the testing  
34 company claiming that the invasive emissions test had damaged their vehicles; and  
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36       **Whereas**, on January 24, 2002, New Jersey Governor James E. McGreevey  
37 announced that he has assembled a team of procurement, environmental, and management  
38 experts to conduct a full and complete management review of New Jersey's \$500 million contract  
39 with the state's auto emissions testing company to determine the "root cause" of the problems in  
40 the program and cost overruns that New Jersey has experienced; and  
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42       **Whereas**, Missouri should consider the actions of these states that have audited,  
43 suspended, or terminated their vehicle emissions testing programs:  
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45       **Now, therefore, be it resolved** that the members of the House of  
46 Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate  
47 concurring therein, hereby acknowledge the considerable evidence that the Gateway Clean Air  
48 Program is costly, ineffective, wasteful, and lacks accountability and therefore request the State  
49 Auditor to conduct an audit of the Gateway Clean Air Program similar to the actions taken in  
50 Illinois, with such audit to be completed by December 31, 2002, and a report provided to the  
51 Ninety-second General Assembly in January 2003; and  
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53           **Be it further resolved** that the Chief Clerk of the Missouri House of  
54 Representatives be instructed to prepare properly inscribed copies of this resolution for State  
55 Auditor Claire McCaskill, the Director of the Department of Natural Resources and each  
56 member of the Missouri Congressional Delegation.