

He Said, She Said: The Strange Politics of Emissions Testing in Austin

By: Bryan Brah

Austin's air is filthy, or so went the arguments for a new tax on Austin drivers. Beginning Sept. 1, 2005, Austin became the latest city in Texas to require residents to submit their vehicles for emission inspection. Politicians from 12 different local governments, in response to worries about poor air quality, passed the law in an effort to forestall action by the U.S. Environmental Protection Agency.

According to the city of Austin's air quality program website, ozone levels in central Texas have peaked enough to exceed federal standards. The Clean Air Action Plan enacted by local officials forestalls any punitive action by the federal government.

"It's silly," said Art DiBianca, treasurer of the Travis County Libertarian Party, "This law doesn't differentiate between pollution generated here and pollution that blows in from Houston. Nor does it take into account the recent trend of falling ozone levels. It's just a way to lock Austin into the current EPA standards before they change again."

According to the city of Austin website, if the federal government declares Austin a nonattainment site, we would risk losing highway funds. The plan includes eight measures to reduce airborne pollutants, like restrictions on chemical and solvent use and monitoring industrial polluters, but the cornerstone of the plan is emissions inspection and maintenance of gasoline-fueled passenger vehicles.

The initiative, called "Drive Clean Across Texas," uses fees from emissions inspections to pay for an ongoing public awareness campaign and to repair or replace the vehicles of residents too poor to fix emissions problems themselves.

Nearly a year into the program, the effects of the law on Austin's air quality should be tangible, or at least quantifiable. Representatives from the Texas Commission

on Environmental Quality refused requests for a definitive answer to the question of whether or not Austin's air is cleaner as a result of the emissions testing program.

"It's still too early in the program to tell how much the new regulations have improved air quality," said Andrea Morrow, media relations officer for the Commission.

Requests to the city of Austin, the Austin Chamber of Commerce, Clean Air Force, and the Texas Department of Public Safety all yielded equally non-committal, evasive or deflective responses to the simple question: Is our air cleaner now?

"I can't give you that answer, because I don't know," said Deanna Altenhoff, Executive Director of Clean Air Force. "What I do know is that during the first three months of the program we had a 10.25 percent failure rate for tested vehicles. I've got to believe that taking all those polluting cars off the road did something to improve our air quality."

According to a report by the Commission, during the first eight months of the program, about 40,000 of the 416,000 or so cars tested, failed - a failure rate of 9.59 percent. Of these, 73 percent passed when retested, giving an overall failure rate of about 2.5 percent.

Anecdotal evidence confirms these statistics. Ruben Flores, a mechanic and inspection technician at Jimmy's Automotive in North Austin said:

"I've been testing about 50 or 60 cars a week since the program started, and we've only failed like 100 or so. I usually tell people who fail, to change the oil, change the plugs and put some good gas in the car and bring it back. Eight times out of ten this works and the car passes. I don't really see a good reason why they did it. The only thing I can see is that someone is making money on this, and it sure ain't me."

Libertarian Art DiBianca echoes those sentiments:

"It's pure politics. The dirtiest vehicles on the road are exempt while the only ones tested are likely to pass. Diesels and cars 25 years old don't even have to test, and there are numerous exemptions for vehicles that fail. What this law amounts to is a new tax and a way for politicians to make themselves look good by acting like they're doing something for the environment."

According to data from the TCEQ website, the number of days that the Austin metro area experienced lower air quality has decreased since emissions testing went into effect, but this doesn't give the whole story.

Information gathered by ozone monitoring stations in and around Austin indicates that since testing began, there has been only one day where ozone levels exceeded the EPA designated threshold classified as "unhealthy for sensitive groups." The same period a year earlier, had four days with excessive ozone levels. These ratings are based on the current federal standard of 85 parts per billion.

According to the American Lung Association, the federal standard should be lowered to 75 parts per billion. If you look at the air quality data in light of this recommendation, then the number of days Austin experienced unhealthy ozone levels actually increased after the testing began, nearly doubling from 14 to 25.

By this reckoning then, our air quality is at risk, however the effectiveness of the method chosen to address this problem remains doubtful. The one year anniversary of the program is quickly approaching; perhaps then the agencies running it will be called to account.

References and Sources

Art DiBianca, treasurer of the Travis County Libertarian Party 512.707.2809

Andrea Morrow, media relations officer for TCEQ 512.239.5011

Ruben Flores, inspection technician at Jimmy's Automotive 512.467.0765

Deanna Altenhoff, Executive Director of Clean Air Force 512.916.6057

Sandra Hentges, Vice President of Regional Transportation & Development
/Governmental Relations for the Austin Chamber of Commerce 512.322.5638

City of Austin webpages:

Air Quality website www.ci.austin.tx.us/airquality

Clean Air Action Plan website www.ci.austin.tx.us/airquality/caap.htm

Texas Commission for Environmental Quality webpages:

Main Page www.tceq.state.tx.us

Ozone reports http://www.tceq.state.tx.us/cgi-bin/compliance/monops/8hr_monthly

U.S. Environmental Protection Agency webpages:

Main Page www.epa.gov

Clean Air Act www.epa.gov/air/oaq_caa.html

Drive Clean Across Texas website www.drivecleanacrosstexas.org

Clean Air Force website www.cleanairforce.org

Texas Department of Public Safety website www.txdps.state.tx.us/vi/index.htm

American Lung Association website www.lungusa.org