

The Bureaucratic Burden of Emissions Testing in Missouri

Why Jason Law is Leading the Fight to End a Broken Program

Current Problem

With the high cost of labor, auto repair shops and dealerships lose money conducting emissions tests. This results in fewer locations where tests can be performed, creating backlogs and delays for citizens needing to register their vehicles. It is also an overall hassle for citizens, and only 2% of all emissions tests fail—indicating the program, along with all the time and money spent by citizens, does very little to improve air quality.

Current Effort

Rep. Mark Matthiessen introduced HB 960 to eliminate the emissions program in St. Louis, St. Charles, and Jefferson counties. Unfortunately, the bill was never referred to committee and did not pass during the 2025 legislative session.

Jason Law is launching petition drive to collect signatures to eliminate the emissions testing program or exempt St. Charles County from the emissions inspection program. Before the next legislative session all signatures will be delivered directly to Missouri's congressional delegation, state lawmakers, the Governor, and the Missouri Air Conservation Commission.

History

Congress passed the Clean Air Act in 1970, allowing the EPA to set national air quality standards. The agency passed vehicle emissions standards in 1981, and automakers began placing catalytic converters on all automobiles. To ensure regional compliance with EPA air quality standards, Missouri established an auto emissions inspection and maintenance program in 1984.

The federal Clean Air Act required Stage II vapor recovery nozzles on all gasoline pumps by 1989. St. Charles County, along with the greater St. Louis metropolitan area, was designated a “modified non-attainment” area by the EPA. Two of the twelve monitoring stations in the region were located in Orchard Farm and West Alton.

The EPA, under authority granted by the Clean Air Act, threatened to halt all growth in the area by imposing sanctions—including a cut-off of federal highway funds and a moratorium on new industry—if Missouri failed to meet the new standards issued by the Clinton administration. Joe Ortwerth criticized the

new rules, stating they would “guarantee that new industry will not choose to locate in metropolitan areas across this country and will greatly encourage existing industries that desire to expand to leave... and relocate in rural areas.”

The General Assembly required the sale of a special Missouri blend of smog-reducing gasoline in the St. Louis area. The Gateway Clean Air Program, an enhanced emissions inspection and maintenance program with special inspection stations, began in 2000. Later, the Gateway Vehicle Inspection Program (GVIP) replaced it and became the inspection and safety program for vehicles in the St. Louis ozone nonattainment area—including St. Louis City and the counties of Franklin, Jefferson, St. Charles, and St. Louis.

GVIP operations began on October 1, 2007, testing all 1996 and newer gas-powered and 1997 and newer diesel-powered vehicles in the nonattainment area. The original special stations were replaced by over 700 public inspection stations—more than 100 in St. Charles County—where inspection results are automatically uploaded for verification by the Department of Revenue’s license offices and online registration system.

Several years ago, MDNR submitted a plan to the EPA to designate Jefferson and Franklin counties as attainment areas. The EPA approved Jefferson County and all of Franklin County—except Boles Township—as attainment areas after the number of violating St. Louis-area monitors dropped from five to one: West Alton in St. Charles County. That single testing station happens to be located near a coal plant in Portage de Sioux. To many regional officials, the placement of the testing station appeared to be the EPA “placing their thumb on the scale” when monitoring air quality—punishing their constituents and their vehicles as part of what they saw as the EPA’s “war on coal.”

Petitioners sued in federal court, arguing that Jefferson’s designation was arbitrary and capricious since Boles Township was treated differently despite similar proximity to the monitor. On July 10, 2020, the D.C. Court of Appeals held the record did not justify this differing treatment, ignoring the 9–12-mile differences between the sources and the monitoring station.

In 2021, the Missouri Senate overwhelmingly passed HB 661 by a 29–3 bipartisan vote to eliminate emissions testing in St. Charles, Franklin, and Jefferson counties. The bill passed both chambers but was vetoed by the governor due to fears the EPA might revoke up to \$52 million in federal highway funds. Senator Onder and several St. Charles Representatives led the effort.

Meanwhile, EPA continued raising air quality standards. After MDNR requested Jefferson and Franklin Counties be designated attainment areas, the EPA granted that request—except for Boles Township and West Alton—due to proximity to coal-powered plants.

Following Governor Parson’s veto of HB 661, East-West Gateway needed to approve its Transportation Improvement Plan (TIP). The EPA temporarily blocked the TIP, citing uncertainty about the emissions program’s future. Gateway staff recalculated assuming the program’s removal, and the TIP still met air quality conformity standards.

By 2022, ambient air quality data from 2019–2021 showed all monitors in the nonattainment area complied with the 2015 ozone standard. Regional leaders believed their constituents were being punished in what they called the EPA’s “war on coal.”

In *West Virginia v. EPA*, the U.S. Supreme Court ruled that the EPA could not enforce sweeping carbon limits without explicit Congressional authorization, citing the “major questions doctrine.” It remains to be seen whether future rulings will further impact EPA authority over air-quality programs.

In 2022, the Missouri Air Conservation Commission amended regulations to exempt Franklin County from the emissions testing program.

Vehicle pollution is expected to continue declining due to stricter federal regulations and turnover of older vehicles. Ground-level ozone levels in the St. Louis region have dropped steadily over the past 20 years, making the case for St. Charles County’s exemption. Missouri would need to submit a revised State Implementation Plan (SIP) to the EPA to make this change official.

In 2024, the EPA determined that the Missouri portion of the St. Louis, MO-IL bi-state nonattainment area had a design value (DV) greater than 0.074 ppm and failed to meet the 2015 ozone NAAQS. Relevant documents are available under Docket ID No. EPA-R07-OAR-2024-0540 at [regulations.gov](https://www.regulations.gov)

Questions & Answers About Inspection Program

The answers below (in blue) were provided by DNR and suggest the potential federal funding loss referenced in the 2021 fiscal note may be significantly less than \$52 million.

1. What is the breakdown of the \$24.00 fee for an emissions inspection, and is that money directed to a special fund?

Motorists pay the inspection station \$24.00 (643.350, RSMo, 10 CSR 10-5.381(3)(D)1) for each emissions test, and inspection stations pay \$2.50 of that to the department for each passing inspection. That portion goes into the MO Air Emission Reduction Fund (0267).

2. Approximately how many emissions inspections are done each year, and what is the failure rate for those inspections?

765,799 vehicles were inspected in FY2023. Of those, 15,433 vehicles failed their initial emissions test, equating to a 98% initial pass rate.

4. How many emissions inspection stations are conducting inspections? Has this number gone up or down over the last five years?

As of June 2023, Missouri had 774 licensed emissions inspection stations. As of October 16, 2024, there are 734. The number of stations varies throughout the year, and new stations regularly apply, but the overall trend appears to be a slight decline:

- June 2020 – 823
- June 2021 – 814
- June 2022 – 785 (*Franklin County removed from GVIP July 1, 2022*)
- June 2023 – 774
- June 2024 – 762

5. How much federal money does Missouri stand to lose if emissions inspections were suspended?

Although the department receives no federal funds specifically for the emissions inspection program, the EPA could withhold other funds if the program were suspended:

- **Performance Partnership Grant (PPG)** – \$4,413,000 total (Clean Air Act Section 105)
- **PPG Subgrants** – \$45,960 (MARC) & \$35,595 (East-West Gateway)
- **Diesel Emission Reduction Act (DERA)** – FY23: \$1,099,415 | FY24: \$1,038,705
- **Climate Pollution Reduction Grant (CPRG)** – \$3,000,000 (approx. 63% pass-through or contracted)
- *About 17% of Air Pollution Control Program’s personnel costs are covered by CAA 105, DERA, and CPRG grants*

9. Where are the federal funds related to emissions inspections in the state budget?

There are no federal funds directly tied to the inspection program, but those at risk if the program is suspended appear in HB 6 and HB 13.

Additional Notes:

In addition to the roughly \$8 million in DNR’s budget that could be lost if the emissions inspection program were suspended, there are other monetary and non-monetary considerations related to a potential suspension of that program. The EPA could use its authority under the federal Clean Air Act to issue a finding that any requirement of an approved State Implementation Plan (the emissions inspection program is currently part of the plan) is not being implemented and impose sanctions listed in Section 179(b) of the Clean Air Act, 42 U.S.C. § 7509(b). If the state does not address the findings within 18 months of this determination, the EPA could impose sanctions as follows:

- **Emissions offset sanction** – Emissions offsets for new or modified sources of air pollution would be increased to at least a 2-to-1 ratio, making it very difficult to permit new projects in the St. Louis nonattainment area.
- **Highway fund sanctions** – If the state does not address the EPA’s finding within 6 months after the imposition of the emissions offset sanction, the EPA could restrict federal funding for certain highway projects and grants within the St. Louis nonattainment area. I cannot provide estimates of the highway funds that would be at issue here, but I am attaching a couple of letters related to 2021’s HB 661 for reference.

Finally, while the EPA has not officially articulated its policy on this matter, and the department is not aware of the EPA taking similar action in any other state, it is possible that the EPA could institute a federal implementation plan related to ozone nonattainment and implement a federal version of the emissions inspection program. If the EPA were to implement such a federal plan, it would almost certainly be more onerous and costly to motorists than the current state implementation plan.

Members of the Missouri Air Conservation Commission

Name	Role	Affiliation	Contact Info
Richard Rocha	Chair	Republican, Industry	Bayer CropScience, 8400 Hawthorn Rd, Kansas City, MO 64120 – 816-242-2793
Mark Fohey	Vice-Chair	Democrat, Labor	8760 County Rd 422, Hannibal, MO 63401 – 573-795-5647
Ericka Baxter, MScEM	Member	Independent, Public	Capital Materials, 4940 N. 21st St, Ozark, MO 65721 – 417-425-3386 – ebaxter@...
Gary Pendergrass, PE, RG	Member	Republican, Public	4032 S. Gatlin Ct, Springfield, MO 65807 – 417-838-4432 – gary.pendergrass@...
Kevin Rosenbohm	Member	Republican, Agriculture	36302 Echo Rd, Graham, MO 64455 – 660-939-4537 – kevin.rosenbohm1@...
Harry G. Thompson	Member	Republican, Public	harrygthompson@hotmail.com
Vacant	Member		
Richard Groeneman	A.G. Liaison	Missouri A.G.'s Office	P.O. Box 899, Jefferson City, MO 65102 – 573-751-3321
Stephen M. Hall	Program Director	MoDNR	PO Box 176, Jefferson City, MO 65102 – 573-751-4817
David Gilmore	Staff Assistant	MoDNR	PO Box 176, Jefferson City, MO 65102 – 573-751-4817 – david.gilmore@dnr.mo.gov

Estimated Economic Impact of Missouri's Emissions Testing Program

Time Lost. Money Wasted. A Program That No Longer Makes Sense.

Typical Process & Time Breakdown

1. Scheduling / Finding a Station

Time Estimate: 10–20 minutes

Citizens must use DNR's website or call stations directly. If appointments are scarce, scheduling may take longer.

2. Driving to the Station (Round Trip)

Time Estimate: 30–60 minutes

Proximity and traffic vary. Suburban drives are typically 15–30 minutes each way.

3. Waiting + Inspection Time

Time Estimate: 20–45 minutes

Even with appointments, wait times are common. The test itself typically takes 15–20 minutes.

Total Time Commitment Estimates

- **Best Case:** ~1 hour
- **Good Case:** ~2 hours

- **Typical Case:** ~3 hours
- **Worst Case:** ~5 hours

Time Cost in Dollars Estimates (at \$25/hour median wage)

- **Best Case:** \$25
- **Good Case:** \$50
- **Typical Case:** \$75
- **Worst Case:** \$125

Additional Considerations:

- Many citizens must use PTO or miss work.
- Lower-income workers are disproportionately burdened.
- If a vehicle fails, costs and time effectively double.

Factors Impacting Scheduling Delays:

- **Demand:** Peaks during end-of-month renewals or holidays.
- **Location:** Urban stations often have longer waits.
- **Capacity:** Smaller shops cause longer lead times.

Citizen Tips:

- Schedule early.
- Call multiple stations.
- Walk-ins may be available—but with long waits.

Systemic Waste on a Massive Scale

Category	Estimate
Total Vehicles Inspected	765,799
Avg. Time per Test	1.5 hours
Total Hours Lost	1,148,699 hours
Avg. Hourly Wage	\$25.00
Total Economic Loss	\$28.72 million (time only)
Fees Paid by Citizens	\$18.38 million

Estimated Total Economic Impact on Citizens

Scenario	Time Lost	Fees Paid	Fuel Costs	Total Cost
Best Case	\$19.1 million	\$18.3 million	\$1.8 million	\$39.2 million
Good Case	\$38.2 million	\$18.3 million	\$1.8 million	\$58.3 million
Typical Case	\$57.3 million	\$18.3 million	\$1.8 million	\$77.4 million
Worst Case	\$95.5 million	\$18.3 million	\$1.8 million	\$115.6 million

A Disproportionate Cost for Minimal Benefit

In FY2023, Missouri conducted 765,799 emissions tests and found just 15,433 initial failures—a failure rate of only 2%. Applying the typical-case cost:

Missourians are paying approximately \$5,015 per failed inspection.

That's not just inefficient—it's economically irrational.

Conclusion: A Case for Reform

The emissions testing program imposes substantial financial and time burdens on Missourians—especially in St. Charles County—for very little benefit. With over 98% of vehicles passing, the system continues to operate as a relic of outdated standards rather than a necessary public health measure.

Jason Law's citizen petition drive offers a proactive, citizen-first approach to ending an unnecessary mandate. Jason Law is leading the charge to fight bureaucratic waste, cut red tape, and deliver results for working families.

For more information or questions:

Contact: John Hancock

Phone: 314-630-8218

Email- info@lawforstcharlescounty.com



Law Petition QR code