

# The Case for Eliminating Vehicle Emissions Testing in Texas



## Executive Summary

Texans have been paying hundreds of millions a year for vehicle emissions testing, and ending safety inspections hasn't done anything to lower those costs. Getting rid of emissions testing could put as much as \$335 million a year back in Texans' pockets—without hurting our air quality.

Over the last three decades, the EPA has raised ozone standards again and again, despite science suggesting Texas' air quality, including ozone levels, has actually gotten much better. Eliminating emissions testing is a liberty issue, not a health issue.

If the Texas Legislature wants to end vehicle emissions inspections, it should do so by eliminating the requirement for the inspection program in Subchapter G, Chapter 382, the Texas Health and Safety Code. Lawmakers can do this by eliminating the emissions program entirely, or by exempting vehicles eight years old or newer. Delaying the elimination would give the Texas Commission on Environmental Quality time to work with the Trump Administration to adjust our State Implementation Plan, ensuring Texas remains in compliance with the Clean Air Act.

## Vehicle Emissions Testing in Texas

In 2023, the Texas Legislature voted to end [mandatory safety inspections](#) for all

non-commercial vehicles. As of January 1st, passenger vehicles no longer need to pass a safety check before hitting the road.

But while safety inspections are gone, millions of Texans will still have to get annual vehicle inspections—not for safety, but for emissions. Drivers whose vehicles are registered in these 17 counties must still get annual emissions inspections: Brazoria, Collin, Dallas, Denton, Ellis, El Paso, Fort Bend, Galveston, Harris, Johnson, Kaufman, Montgomery, Parker, Rockwall, Tarrant, Travis, and Williamson. Beginning in November 2026, Bexar County drivers will also be required to do the same.

These requirements exist because under the Environmental Protection Agency's 8-Hour Ozone National Ambient Air Quality Standards, all of these counties—except Williamson—are considered “non-attainment” areas. To avoid the loss of federal highway funds, costly fees, or stricter federal controls, Texas agreed to include emission testing in these counties under its State Implementation Plan (SIP) approved by the EPA.

## Ozone Standards: A Moving Target

In 2010 and 2011, the Houston area actually met the EPA ozone standard, and Dallas came close. Yet today, [many Texas counties are considered “out of” attain-](#)

[ment](#). The reason? The EPA has tightened its ozone limits twice in recent years—on what many consider shaky scientific grounds—creating more than \$1 billion in [annual regulatory costs](#) for Texas.

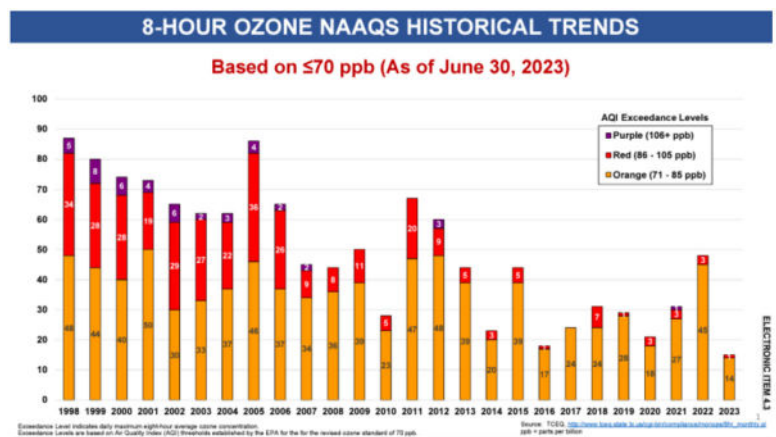
Over the past three decades, the EPA has repeatedly lowered its allowable ozone levels. In 1995, the standard was roughly 95 parts per billion (ppb). It dropped to 80 ppb in 1997, then to 75 ppb in 2008, and finally to 70 ppb in 2015. These stricter thresholds have not always been backed by clear scientific evidence.

When the standard was lowered in 2008, the EPA had no new body of research to justify the change. Instead, it took the only new peer-reviewed study since 1997—by Dr. William Adams of the University of California, Davis—and reinterpreted the data to reach the opposite conclusion from the author, who found no statistically significant link between lung function and ozone exposure below the existing limit.

In 2015, the EPA again tightened the standard. Kathleen Hartnett White [called the move](#) “bereft of any benefit without EPA’s sham science and imagined coincidental benefits,” noting that respected scientific bodies like the National Academy of Sciences had criticized the agency’s manipulation of research to fit predetermined policy goals.

If the ozone standard were still at its 1997

level of 80 ppb, or even the 2008 level of 75 ppb, major Texas regions like Houston, Dallas, Travis County, and likely Bexar County would meet federal compliance. Given this context, the scientific case for maintaining today’s strict tailpipe emissions testing is questionable—especially since Texas’ air quality has steadily improved under both the older 1997 standards and the newer 2015 standards (see Figure below).



Source: North Central Texas Council of Governments

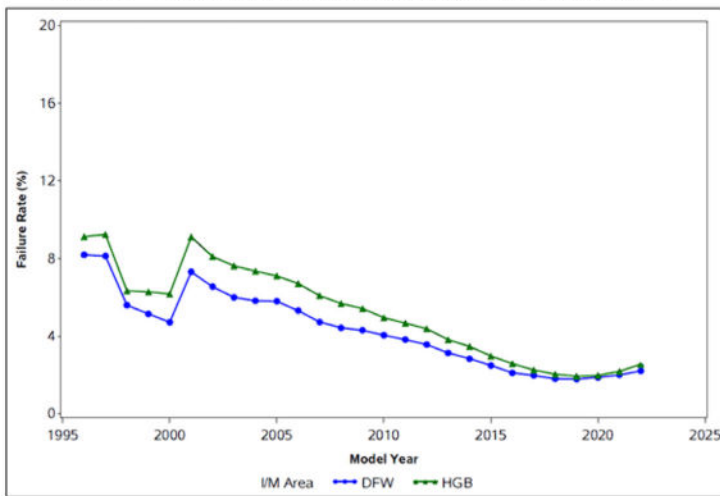
### Few Cars Fail Emissions Testing

On top of the shaky scientific justification, the testing itself rarely finds problems. Comprehensive historical emissions testing results are available for the Dallas/Fort Worth and Houston/Galveston/Brazoria areas—covering 14 of the 17 counties required to test—show that Texans overwhelmingly pass on the first try. In 2022–2023, 95% of vehicles passed their initial inspection, with only 5% failing.

Vehicles less than eight years old failed just 2% to 2.5% of the time. Historical data confirm the trend of low failure rates. The failure rate for all vehicles was about 4.7% in 2020–21, less than 4% in 2018–19, about 4% in 2016–17, and roughly 5% in

2004–05. Statistical analysis for the Austin/Round Rock area shows similar results.

Figure 2. Initial Inspection Failure Rates by, MY and I/M Program Area



Source: [Texas Commission on Environmental Quality](#)

These inspections add significant costs to Texans. In the Houston area and the Metroplex, emissions inspections cost \$18.50. In the Austin/Round Rock and El Paso areas, the cost is \$11.50. In addition to the inspection fees, owners in these areas pay another \$8.50 and \$2.50, respectively, when they register their cars annually. **Texans pay roughly \$335 million every year for tests**—much of that going to businesses that do the testing. Additionally, the cost of the time Texans spend getting their cars inspected for emissions is about \$337 million annually.

### **Solutions: What Should Texas Do About Vehicle Emissions Testing?**

Stricter ozone standards and decades of emissions inspections in Texas have produced little, if any, measurable public health benefit. Yet federal law under the Clean Air Act still mandates these tests, draining Texans' time, money, and resources. The central question is how Tex-

as can end this costly program.

During the last legislative session, lawmakers passed HB 5033, but it ties an end to emissions testing to two highly unlikely scenarios:

- (1) a repeal or amendment of the Clean Air Act by Congress, or
- (2) a constitutional amendment granting states sole authority over emissions. Because neither is expected anytime soon, the bill offers no near-term solution for Texans.

If legislators are serious, they must amend the Texas Health and Safety Code directly, either by repealing the inspection requirement or by exempting newer vehicles. A prudent path would be to phase out the program over four years while directing the Texas Commission on Environmental Quality to negotiate a State Implementation Plan (SIP) revision with the EPA. This revision could replace annual inspections with an alternative that meets federal performance standards under 40 CFR part 51 subpart S, using EPA-approved modeling to prove equal or better outcomes.

With President Trump back in office, Texans can be confident that real relief is within reach. His administration has always stood firmly with our state and is in a strong place to grant a waiver or approve a revised SIP that ends this inspection scam. The Legislature should act immediately, putting Texas in the best position to renegotiate while President Trump is in

office, because we can be sure he won't stand by while Washington rips off Texas.



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