

The Case Against Vehicle Emissions Testing in Texas



This paper updates “[The Case for Eliminating Vehicle Emissions Testing in Texas](#),” originally published September 2, 2025.

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. In fact, they will soon be increasing. Bexar County is scheduled to begin emission testing on November 1, requiring hundreds of thousands of Texas drivers to spend their time and money on emissions inspections.

Over the last three decades, most recently under the Obama Administration, 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.

Getting rid of emissions testing could put as much as \$335 million a year back in Texans’ pockets—without hurting our air quality. The Texas Legislature should direct the Texas Commission on Environmental Quality (TCEQ) to seek model-year exemptions and other State Implementation Plan (SIP) flexibilities that will reduce the burden and costs of annual testing. This could include exempting vehicles eight years old or newer. This would enable the TCEQ to work with the Trump Administration to adjust our SIP, ensuring

Texas remains in compliance with the Clean Air Act while Texas pushes for repeal of emissions testing by Congress.

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, Bexar County drivers will also be required to do the same. According to TxDOT registration data, Bexar County has more than 1.7 million registered vehicles, meaning hundreds of thousands of additional Texans will soon be subject to annual emissions testing requirements. EPA approved Texas’ Bexar County vehicle inspection and maintenance SIP revision in 2025, making San Antonio the newest major

metropolitan area added to the state’s emissions-testing regime. The expansion highlights that Texas’ vehicle emissions testing program is growing.

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” attainment. 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.

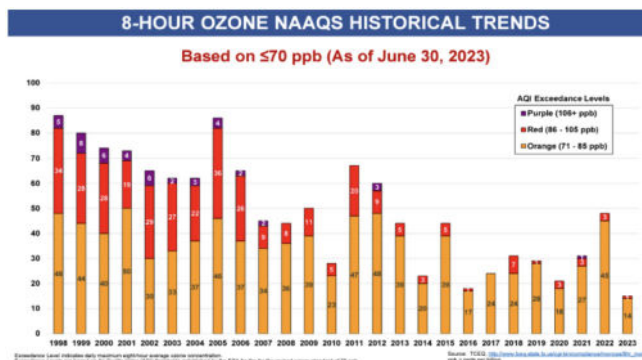
Over the past three decades, the EPA has repeatedly lowered its allowable ozone levels. In 1995, the standard was roughly 95 parts per billion (ppb). It dropped to 80 ppb in 1997, then to 75 ppb in 2008, and finally to 70 ppb in 2015. These stricter thresholds have not always been backed by clear scientific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

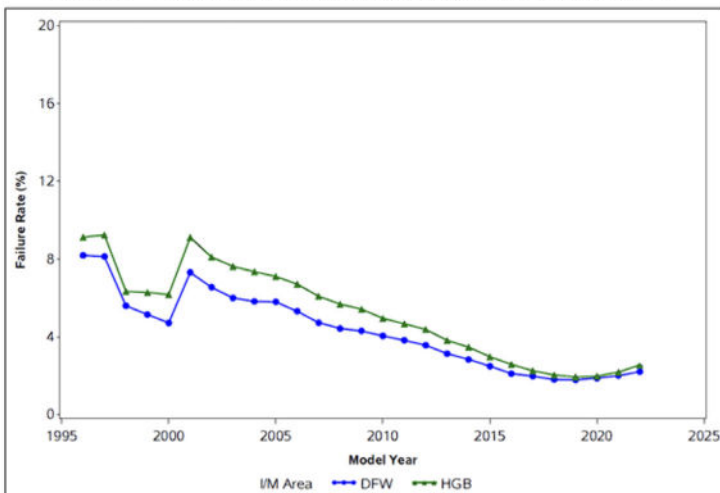


Few Cars Fail Emissions Testing

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



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 emission 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.

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 Texas 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.

EPA's recent response to Ohio provides direction for Texas' next steps. Ohio sought to replace its E-Check inspection requirement with a self-attestation system, but EPA has proposed to disapprove the plan because it would elimi-

nate objective emissions inspections and leave the state without an enforceable inspection-and-maintenance program. At the same time, EPA identified lawful flexibilities states may pursue, including exemptions for newer vehicles. For Texas, that makes the clearest near-term path not self-attestation or outright non-enforcement, but an exemption for newer vehicles—such as vehicles eight years old or newer—while Texas continues pursuing full repeal as federal law and attainment status allow.

With President Trump in office, Texas should seek immediate relief through the path EPA has already identified as lawful: model-year exemptions and other SIP flexibilities that reduce the burden of annual testing without violating the Clean Air Act. Texas should not wait for unlikely congressional action. The Legislature should act now, put the model-year exemption into state law, and direct TCEQ to submit the necessary SIP revision to EPA.



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