Resolution to Eliminate the Clean Air Act's Employee Trip Reduction Provision

Summary

ALEC's model calls for an amendment to the Clean Air Act Amendments of 1990; the Provision in the Clean Air Act which calls for an Employee Trip Reduction should be changed to an option in each state's implementation plan.

Model Resolution

WHEREAS, through the federal Clean Air Act and its amendments, the states are required to undertake various mandated steps to reduce air pollution and come into compliance with federal law; and

WHEREAS, a balance must be struck between the steps to be taken to reduce air pollution and the adverse impact those steps may have upon each state's economy, business climate, and cost of government; and

WHEREAS, under the Clean Air Act Amendments of 1990, the states classified as "extreme" or "severe" non-attainment areas are required to adopt employee commute options and trip reduction laws; and

WHEREAS, companies having one hundred or more employees who will be required to adopt employee trip reduction strategies will in effect be imposing onerous and burdensome travel restrictions on the employees of companies; and

WHEREAS, the federal government has launched this ill-conceived initiative through the Clean Air Act and its amendments, modeled after California legislation; and

WHEREAS, the ineffectiveness and huge cost of California's program are now coming to the surface; and

WHEREAS, trip reduction efforts have cost California between $136 and $197 million per year; and

WHEREAS, the costs experienced by California amount to approximately $3,000 per car taken off the road and $232 per employee; and

WHEREAS, the United States Environmental Protection Agency has estimated that it will cost the economies of just the ten "extreme" and "severe" non-attainment areas a staggering $1.5 billion per year or $337 per employee, and

WHEREAS, the General Accounting Office believes that virtually none of the trip reduction measures called for in the Clean Air Act will significantly reduce emissions; and

WHEREAS, recent studies cited by Transportation Quarterly indicate that not more than nine percent of all cars are responsible for as much as fifty percent of automotive emissions; and

WHEREAS, despite the fact that other avenues may be available which would result in, among other things, the elimination of the federal mandate for a vehicle reduction program, it is imperative that the path chosen not result in the disruption of many critical and environmentally desirable programs along with the desired elimination of such a program; and
WHEREAS, it is in the best interests of the employees and the employers to chose the course of action which is directed toward accomplishing one thing - the elimination of the federally mandated vehicle trip reduction program; and

NOW THEREFORE BE IT RESOLVED, by the American Legislative Exchange Council that the United States Congress is strongly urged to adopt an amendment to the Clean Air Act Amendments of 1990 to eliminate the provisions that mandate an Employer Trip Reduction Program in “extreme” and “severe” non-attainment areas and, in lieu thereof, leave such a program as an option to be implemented by the states based on relative costs, timing and benefits of such a program.

BE IT FURTHER RESOLVED, that every state legislative body join in this effort by adopting a similar Resolution.

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to each and every member of the Congress of the United States and each house of the Legislature of each State.

ALEC’s Sourcebook of American State Legislation 1995