

House Bill Analysis

HB 2421

HOUSE AGRICULTURE AND ECOLOGY COMMITTEE

January
28, 2000

Proposed Substitute House Bill 2421 provides incentives for using clean fuels and makes additional changes to air pollution control programs.

BACKGROUND:

Clean Fuels

Internal combustion engines commonly emit a variety of pollutants, including volatile organic compounds (hydrocarbon-based chemicals), nitrogen oxides, carbon monoxide, particulates, and carbon dioxide. Controls on these emissions began to be established with the advent of the catalytic converter in 1975, fuel injection systems in the 1980's, and further refinements. Today's cars are about 95 percent cleaner than the cars of 30 years ago. The continuing increase in vehicle miles traveled has the potential to undermine this progress, however. Some of the most promising ways to control emissions now and into the future is through the use of so-called alternative fuels or clean fuels. These are fuels such as natural gas, propane, ethanol, methanol, and reformulated gasolines, including oxygenated and low-sulfur fuels. Alternative engines also exist, including electric vehicles, hybrid electric-gasoline vehicles, and fuel cell-powered engines.

MTBE

The 1990 Clean Air Act Amendments require that gasoline sold in carbon monoxide (CO) nonattainment areas contain at least 2.7 percent oxygen, starting in 1992. Refiners decide which oxygenates to use in making cleaner gasoline. One of the additives that has been added to gasoline to increase octane levels and engine efficiency is methyl tertiary butyl ether or MTBE. After this additive started showing up in drinking water supplies in California, the governor issued an executive order requiring that it be phased out by the end of 2002, and requiring the use of other oxygenates. Problems with MTBE have occurred in other states, as well. Spokane is the only CO non-attainment area in Washington, and refiners here use ethanol as an additive, rather than MTBE. The Department of Ecology does not believe that MTBE is being added to fuel for sale in Washington.

Vehicle Emissions Testing

Vehicle emissions can be tested using different methods. One test that can be used is the IM-240 test,– which consists of a 240 second emissions test while the vehicle’s engine is driven through a computer monitored driving cycle of acceleration, deceleration and idling. Emissions testing in Washington consists instead of steady state tests, meaning either constant idling or a fixed level of acceleration.

Outdoor Burning

Current state law on outdoor burning provides that outdoor burning shall be prohibited when an alternate technology or method of disposing of the organic refuse is available, reasonably economical, and less harmful to the environment.

SUMMARY

Clean fuels are defined as alternatives to ordinary gasoline or diesel fuel that do not exceed the emission standards for passenger cars and light duty trucks as provided in the federal clean air act amendments.

In addition to existing uses of high occupancy vehicle (HOV) lanes, the Department of Transportation and local traffic authorities are required to allow vehicles that meet the clean fuel definition to use the lanes, regardless of the number of vehicle occupants. The department is also required to indicate on road signs that HOV lanes may be used by clean fuel vehicles regardless of the number of occupants.

Persons owning motor vehicles that use clean fuels are required to obtain special clean fuel vehicle license plates. The Department of Licensing is required to issue clean fuel vehicle special plates to vehicles that qualify. The department is authorized to charge a fee in an amount not to exceed the costs of production of the special plates. Fees are then required to be deposited in the air pollution control account. The department of licensing is directed to produce special plates beginning with the letter sequence CFV.– Any person may drive a motor vehicle with special clean fuel plates in high occupancy vehicle lanes at any time.

The addition of MTBE to any gasoline is prohibited in Washington as of the effective date of the act. MTBE may not be a component of any gasoline sold in Washington after December 31, 2000.

The transient emission test known as the IM-240 test may not be used to test vehicle emissions in Washington.

The requirement that outdoor burning not be allowed in urban growth areas is deleted, but the prohibition on outdoor burning in cities with a population greater than 10,000 is retained.

The prohibition is extended to any combination of contiguous cities whose total populations are greater than 10,000. The deadline for prohibiting all outdoor burning is moved from December 31, 2000, to December 31, 2006.

The term reasonably economical— with regard to alternatives to outdoor burning is required to be defined by local air authorities, or by local governing bodies where no local air authority exists.

The Southwest Air Pollution Control Authority is divided into two local air authorities: one for Cowlitz, Lewis, and Wahkiakum counties, and another for Clark and Skamania counties.

Members of boards of directors of local air pollution control authorities are prohibited from both serving on the board and accepting employment with an entity that is, or within the past five years has been, regulated by the local air authority.