

# HOUSE BILL REPORT

## HB 2143

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**As Reported by House Committee On:**  
Environmental Health, Select

**Title:** An act relating to requiring the use of alternatives to lead wheel weights that reduce environmental health impacts.

**Brief Description:** Requiring the use of alternatives to lead wheel weights.

**Sponsors:** Representatives Campbell, Hunt, Chase, Flannigan, Hudgins, Morrell and Ormsby.

**Brief History:**

**Committee Activity:**

Select Committee on Environmental Health: 2/22/07, 2/27/07 [DPS].

**Brief Summary of Substitute Bill**

- Establishes an advisory committee to identify and make available to tire distributors and retailers by January 1, 2008, an approved list of environmentally preferred alternatives to lead wheel weights.
- Requires phased-in replacement of lead wheel weights for passenger vehicles and light trucks with lead-free alternatives.

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### HOUSE SELECT COMMITTEE ON ENVIRONMENTAL HEALTH

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Campbell, Chair; Hudgins, Vice Chair; Newhouse, Ranking Minority Member; Sump, Assistant Ranking Minority Member; Chase, Hailey, Hunt, Morrell and Wood.

**Staff:** Brad Avy (786-7289).

**Background:**

Lead wheel weights fall off vehicles and end up on and alongside Washington roadways. They can contribute to soil, surface, and groundwater contamination.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Lead negatively affects every system of the body. It is harmful to individuals of all ages and is especially harmful to children, fetuses, and adults of childbearing age. The negative effects of lead on a child's cognitive, behavioral, and developmental abilities can be significant.

The bill is intended to work in concert with the Persistent, Bioaccumulative Toxins rule administered by the Department of Ecology (DOE). The rule describes a requirement for the DOE, in consultation with the Department of Health (DOH), to develop a multi-year schedule for the preparation of chemical action plans.

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### **Summary of Substitute Bill:**

The DOE is required to establish an advisory committee, in consultation with the DOH and the Department of General Administration, to identify and make readily available to tire distributors and retailers an approved list by January 1, 2008, of environmentally preferred alternatives to lead wheel weights. The approved list of environmentally preferred alternatives to lead wheel weights must be updated by the DOE every six months beginning July 1, 2008.

Use of environmentally preferred alternative wheel weights is required at the time of the first tire replacement, the first tire repair if the tire is removed from the wheel, or the first tire balancing after:

- June 30, 2008, for state-owned vehicles;
- June 30, 2009, for all used vehicles registered in Washington; and
- June 30, 2010, for all new vehicles registered in Washington.

Enforcement of this chapter must rely on notification and information exchange between the DOE and tire distributors and retailers. The DOE must prepare and distribute information to persons in the tire and wheel weight manufacturing, distribution, wholesale, and retail industry, to assist them in identifying environmentally preferred alternative products for lead wheel weights.

The DOE may issue a warning letter to a person in the tire distribution, wholesale, retail, or associated industries that violate the requirements of this bill. The DOE must offer information or other appropriate assistance, but if after one year, compliance is not achieved, penalties may be assessed. Penalties collected must be deposited in the State Toxics Control Account.

### **Substitute Bill Compared to Original Bill:**

The substitute bill adds "lower impact on human health and the environment" to the definition of "environmentally preferred wheel weights." The timeline is extended by four months for the DOE to make available an approved list of environmentally preferred wheel weights. The implementation dates are extended by six months each for required use of lead-free wheel weights. The substitute bill provides for distribution of information to the tire industry on alternative products at least 90 days prior to each implementation date.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:**

(In support) Lead-free wheel weights are more expensive but a small part of the overall budget. The biggest challenge is that they are not commonly carried by distributors. It is a little bit of an expense, but it is something the industry owes to our developing kids' health and the community. It makes sense to phase out lead wheel weights ahead of DOE's chemical action plan for lead since there are alternatives and it can be done in concert with the chemical action plan process. Minnesota and Maine have already moved to require lead-free wheel weights for state fleets. The NAPA auto stores have lead-free weights available in Maine. General Motors and Ford are in the process of converting to lead-free weights and Asian manufacturers are shifting to steel. The last couple of decades we have reduced lead in gasoline and paint and need to continue to reduce exposure to lead in the environment. This bill gives a jump start in that direction.

(Opposed) We should be concerned about lead in our environment. Though we are not sure lead wheel weights are a problem. We are not aware of any numbers out there that can be substantiated. The Environmental Protection Agency is not convinced there is a potential problem with lead wheel weights. The bill talks about an advisory committee. The tire industry would like to be involved in any fact gathering through such a committee to identify the scope of the issue and do a study to see if there really is a problem. There can be an issue with the cost of alternatives to lead, since some of the suppliers can charge double or four times the cost of lead wheel weights. If we do ban lead, we need to look at the effects of alternatives like zinc which may also be a problem. There needs to be adequate phase-in time for suppliers.

**Persons Testifying:** (In support) Don Orange, Eco Auto and Tire Main Street; Carol Kraege, Department of Ecology; and Gregg Grunenfelder, Department of Health.

(Opposed) Richard Nordness, Northwest Tire Dealers Association.

**Persons Signed In To Testify But Not Testifying:** None.