

HOUSE BILL REPORT

HB 2272

As Reported by House Committee On:
Business & Financial Services

Title: An act relating to antifreeze products.

Brief Description: Concerning antifreeze products.

Sponsors: Representative Appleton.

Brief History:

Committee Activity:

Business & Financial Services: 1/24/12, 1/27/12, 1/31/12 [DPS].

Brief Summary of Substitute Bill

- Requires that wholesale containers of antifreeze and engine coolant contain an aversive agent.

HOUSE COMMITTEE ON BUSINESS & FINANCIAL SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Kirby, Chair; Kelley, Vice Chair; Bailey, Ranking Minority Member; Blake, Hudgins, Hurst, Pedersen and Ryu.

Minority Report: Do not pass. Signed by 4 members: Representatives Buys, Assistant Ranking Minority Member; Condotta, Kretz and Rivers.

Staff: Alexa Silver (786-7190).

Background:

Engine coolant and antifreeze manufactured or distributed in Washington that contains more than 10 percent ethylene glycol must contain denatonium benzoate as an aversive agent to render it unpalatable. The necessary amount of the aversive agent is specified in statute. This requirement applies to manufacturers, packagers, distributors, recyclers, and sellers of engine coolant or antifreeze, but does not apply to those who install engine coolant or antifreeze for compensation. It also does not apply to the sale of a motor vehicle containing

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engine coolant or antifreeze or to wholesale containers of 55 gallons or more of engine coolant or antifreeze. Manufacturers, packagers, distributors, recyclers, and sellers are not liable for injury caused by inclusion of the aversive agent.

A manufacturer who is subject to the aversive agent requirement must maintain a record of the trade name, scientific name, and active ingredients of any aversive used and must make this information available to the public upon request.

The Department of Agriculture Weights and Measures Program and city sealers have authority to enforce these requirements.

Summary of Substitute Bill:

Wholesale containers of engine coolant and antifreeze of 55 gallons or more must contain an aversive agent to render the antifreeze or engine coolant unpalatable.

Substitute Bill Compared to Original Bill:

The substitute bill removes the exemption in current law for wholesale containers of 55 gallons or more. It also restores the exemption for those who install engine coolant or antifreeze for compensation.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) Veterinarians are concerned that animals are dying because of the sweetness in antifreeze. Children have also been attracted to antifreeze for the same reason. In 2008 a law was passed to require a bittering agent in antifreeze, which works well. However, there is a loophole in current law for those who install engine coolant or antifreeze for compensation.

(Opposed) Auto dealers repair cars for customers and sometimes replace antifreeze. Auto dealers worked on the original bill. They shared the same concern regarding children and pets. There is no test to determine whether a bittering agent has been added, so they worked to ensure that the bittering agent is added at the wholesale level. Existing law addresses the concerns.

Persons Testifying: (In support) Representative Appleton, prime sponsor.

(Opposed) Scott Hazlegrove, Washington State Auto Dealers Association.

Persons Signed In To Testify But Not Testifying: None.