

HOUSE BILL REPORT

HB 1487

As Reported by House Committee On:
Environment

Title: An act relating to reducing emissions by making changes to the clean car standards and clean car program.

Brief Description: Reducing emissions by making changes to the clean car standards and clean car program.

Sponsors: Representatives Fey, McBride, S. Hunt and Pollet; by request of Department of Ecology.

Brief History:

Committee Activity:

Environment: 2/5/15, 2/16/15 [DPS].

Brief Summary of Substitute Bill

- Adopts California motor vehicle emissions standards for medium duty trucks.

HOUSE COMMITTEE ON ENVIRONMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 6 members: Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Farrell, Fey, Goodman and McBride.

Minority Report: Do not pass. Signed by 5 members: Representatives Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member; Harris, Pike and Taylor.

Staff: Jacob Lipson (786-7196).

Background:

Under the federal Clean Air Act, most states, including Washington, are restricted from enacting their own emissions standards for new motor vehicles, which is an authority generally reserved to the federal government. California is the only state allowed under the federal Clean Air Act to adopt state standards for vehicle emissions. California's vehicle

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.

emissions standards must be at least as protective of public health as federal standards and must be approved by the United States Environmental Protection Agency. Other states may adopt vehicle emissions standards that are identical to California's vehicle emissions standards. Other states adopting California vehicle emissions standards must delay their application until at least two years after the state adopts California's standards.

California Vehicle Emissions Standards.

The motor vehicle emissions standards established by California contain two program components: Low-Emission Vehicle Requirements and Zero-Emission Vehicle (ZEV) requirements.

First, all vehicles sold in states subject to California's standards must exceed emissions performance standards for certain air pollutants like particulates, nitrogen oxide, and carbon dioxide. Vehicle emission control systems must also exceed a 150,000-mile durability standard. Specific performance requirements vary depending on the model year, vehicle weight, and whether the vehicle is a passenger car, light duty truck, or heavy duty truck.

Second, a specified percent of the vehicles delivered for sale in the state by manufacturers must be ZEVs that produce no exhaust emissions of air pollutants of greenhouse gases or partial ZEVs that include technologies like plug-in hybrids.

Washington Vehicle Emissions Standards.

In 2005 the Legislature adopted California's clean car standards. The Department of Ecology (ECY) was directed to adopt and maintain rules consistent with California's standards. However, the Legislature directed the ECY to not adopt the ZEV program. The ECY was also not authorized to adopt California vehicle emissions standards for medium duty trucks, which include most trucks weighing between 8,500 and 14,000 pounds.

In adopting rules consistent with California motor vehicle emissions standards, the ECY must convene an advisory group of industry and consumer representatives to comment on proposed rules. The signature of the Governor is required for rule adoption. Washington's adoption of California's clean car rules only apply to car model years for which Oregon has also adopted California's standards; as a result, Washington's clean car regulations apply to car model years 2009 and later.

Under rules adopted to implement the program, the ECY is authorized to inspect motor vehicles and related records for compliance. Manufacturers must submit information on vehicle deliveries into the state upon request by the ECY. Vehicles that do not meet California vehicle emissions standards may not be registered, rented, licensed, or sold in Washington unless they meet California's vehicle emissions standards. Violations of California vehicle emissions standard rules are punishable by a civil penalty of up to \$5,000 per vehicle.

Summary of Substitute Bill:

The state adopts California's clean car standards for medium duty trucks.

Requirements are eliminated that direct the ECY to convene an advisory group for rule comment and that oblige the Governor to sign the rule adoption order.

Substitute Bill Compared to Original Bill:

The substitute bill eliminates Washington's adoption of California's Zero-Emission Vehicle Program.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on February 16, 2015.

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) Adopting low-emission vehicle requirements in Washington has reduced greenhouse gas and fine particulate emissions. Reducing particulate emissions has an important public health benefit. The ZEVs don't leak solvents which destroy highways and cause toxic water pollution. Washington consumers are already inclined to purchase electric vehicles, and requiring zero-emission vehicles to be delivered by manufacturers ensures that consumers will have access to more choices. Many electric vehicles are not currently for sale in Washington, and residents are traveling to other states to buy the cars they are looking for. Even with low gas prices, electric vehicles save owners money. Unlike gasoline-powered cars that begin to leak as they age, electric cars do not pollute more over time. Adopting California's Zero-Emission Vehicle Program would require only a marginal increase in the sales of ZEVs in Washington.

(Opposed) Car manufacturers like electric cars and other new technologies, but dislike the aspect of California's program that mandates certain sales numbers. The program will include increasingly onerous quotas on car sales over the next decade. This is a government mandate to make a specific type of product that consumer demand will not adequately support. A ZEV mandate is not necessary to support strong sales of electric cars. Other policies, such as incentives or allowing electric vehicles to access high-occupancy vehicle lanes, will do more to increase ZEV adoption. The ZEV regulations will not improve air quality. This bill would commit Washington to following California's lead in whichever direction they take their program.

Persons Testifying: (In support) Representative Fey, prime sponsor; Stuart Clark, Department of Ecology; Chad Schwitters, Plug in America; Kimberley Cline, Western Washington Clean Cities; Larry Owens; J.J. McCoy, Seattle Electric Vehicle Association; Jeff Parsons, Puget Sound Partnership; and Darcy Nanemacher, Washington Environmental Council.

(Opposed) Curt Augustine and Steve Douglas, Alliance of Automobile Manufacturers; and Scott Hazlegrove, Washington State Auto Dealers Association.

Persons Signed In To Testify But Not Testifying: None.