

# FINAL BILL REPORT

## ESHB 1695

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Synopsis as Enacted

**Brief Description:** Establishing a priority for the use, reuse, and recycling of construction aggregate and recycled concrete materials in Washington.

**Sponsors:** House Committee on Environment (originally sponsored by Representatives Clibborn, Hayes, Ryu, Kochmar, Senn, Zeiger, Tarleton, Fey, Farrell, Harmsworth, Van Werven, Stanford, Fitzgibbon, Stokesbary, Wylie, Tharinger, Moscoso, Riccelli and Santos).

**House Committee on Environment**  
**House Committee on Transportation**  
**Senate Committee on Transportation**

### **Background:**

The Washington Department of Transportation (DOT) maintains standard specifications for road, bridge, and municipal construction. According to the DOT, the standard specifications are, with some limited exceptions, incorporated into the written agreement between the DOT and their contractors. These standard specifications include the maximum allowable percent, by weight, of recycled materials in road and bridge aggregate materials. The allowable percentages are based on the materials being recycled, such as hot mix asphalt, concrete rubble, and steel furnace slag, and the use of the material, such as crushed surfacing, gravel backfill, or ballast. Depending on the material and its use, the maximum allowable percentage of recycled material is either 0 percent, 20 percent, or 100 percent.

### **Summary:**

The DOT, together with cities, counties, and Washington-based construction industry associations (implementation partners) must develop and establish criteria and objectives for the reuse and recycling of commonly defined coarse and fine aggregate cement and concrete mixtures (construction aggregate and recycled concrete materials).

Beginning in 2016, all Washington roadway, street, highway, and transportation infrastructure projects undertaken by the DOT must use at least 25 percent construction aggregate and recycled concrete materials each year cumulatively across all projects if adequate amounts of materials are available and are cost effective.

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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.*

Also beginning in 2016, any local government with 100,000 residents or more is required to solicit bids from contractors that propose to use recycled construction content. Once solicited, the local governments must compare the lowest responsible bid proposing to use recycled materials with the lowest responsible bid not proposing to use recycled materials and award the contract to the lowest responsible bidder proposing to use the highest percentage of recycled material if it is at no additional cost. Local governments with less than 100,000 residents must review their capacity for recycling and reusing construction materials, establish strategies for meeting that capacity, and begin implementing those strategies. Any local government with less than 100,000 residents, or any local government with jurisdiction over a public works transportation or infrastructure project, regardless of size, must also adopt standards as developed by the DOT for the use of recycled materials as shown in the DOT's standard specifications for road, bridge, and municipal construction.

The DOT and its implementation partners must report to the Legislature annually on the progress being made to reach the established recycling goals. The annual reports must be issued from the years 2017 until 2020.

**Votes on Final Passage:**

House	98	0
Senate	47	0

**Effective:** January 1, 2016