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**SUBSTITUTE HOUSE BILL 2601**

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**State of Washington**

**65th Legislature**

**2018 Regular Session**

**By** House Environment (originally sponsored by Representatives Fey, Jinkins, Sawyer, Appleton, Wylie, and Pollet)

READ FIRST TIME 01/29/18.

1       AN ACT Relating to reducing air emissions associated with certain  
2 port trucking operations; adding a new section to chapter 70.94 RCW;  
3 and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5       NEW SECTION.   **Sec. 1.**   (1) The legislature finds that certain  
6 ports in Washington state that feature high volumes of container  
7 traffic long ago committed to taking steps to reduce the air quality  
8 impacts associated with their operations. Among these commitments,  
9 the ports promised to use only trucks that met 2007 federal emissions  
10 control standards by 2017. However, more recently, it has become  
11 apparent that not all of the state's high-volume ports have lived up  
12 to their public commitments to improving air quality. A failure to  
13 live up to these commitments is unfair to both drayage truck  
14 operators that have invested in low-emission vehicles that meet the  
15 ports' public commitments and to the communities in which the ports  
16 are located. Air quality in the areas around these ports fell below  
17 federal standards in the not-distant past, resulting in a  
18 nonattainment designation under the federal clean air act; this  
19 history of air quality problems that threaten both public health and  
20 the economic vitality of the communities adds extra import to

1 ensuring that port operations prioritize the protection of air  
2 quality.

3 (2) Furthermore, in recognition of the impacts that port  
4 operations can have on the air quality of their host communities,  
5 other large ports in the western United States, such as the ports of  
6 Long Beach and Los Angeles, California, have committed to an  
7 emissions-reduction strategy that includes the phasing out of high-  
8 polluting drayage vehicles that service the port, including by  
9 establishing a goal of complete reliance by those ports on zero  
10 emission drayage vehicles by 2035.

11 (3) Therefore, it is the intent of the legislature to ensure that  
12 certain high-volume ports follow through on their public commitments  
13 to improving air quality, and remain competitive with other west  
14 coast ports.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.94  
16 RCW to read as follows:

17 (1) The definitions in this subsection apply throughout this  
18 section unless the context clearly requires otherwise.

19 (a) "Drayage truck" means a motor vehicle used to transport  
20 shipping containers to or from a high-volume port.

21 (b) "High-volume port" means a port whose total tonnage of  
22 domestic and foreign waterborne trade, as measured by the United  
23 States bureau of transportation statistics, exceeded twenty million  
24 tons during the most recent year such statistics were available, as  
25 of January 1, 2018.

26 (c) "Zero emission vehicle" means a motor vehicle that does not  
27 produce exhaust emissions of air pollutants or greenhouse gases. Zero  
28 emission vehicles may include, but are not limited to, battery-  
29 electric vehicles and hydrogen fuel cell vehicles.

30 (2) By January 1, 2019, all drayage trucks delivering or  
31 receiving goods from a high-volume port must meet the emission  
32 standards adopted by the United States environmental protection  
33 agency for new vehicles with heavy duty highway engines applicable to  
34 2007 and later model years, as codified at 40 C.F.R. Sec. 86.007-11,  
35 as those standards existed as of January 1, 2018.

36 (3) A high-volume port must develop a plan that provides a  
37 roadmap to transition the fleet of drayage trucks serving the high-  
38 volume port towards using only zero emission vehicles by January 1,  
39 2035. A high-volume port must include the plan in a report submitted

1 to the appropriate committees of the house of representatives and  
2 senate by January 1, 2020.

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