SENATE BILL REPORT
2SHB 1853

As of February 26, 2020

Title: An act relating to the development and coordination of a statewide don't drip and drive program.

Brief Description: Developing and coordinating a statewide don't drip and drive program.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Ramos, Peterson, Paul, Gregerson, Ryu, Senn and Santos).

Brief History: Passed House: 2/16/20, 64-32.
   Committee Activity: Environment, Energy & Technology: 2/25/20.

Brief Summary of Bill

- Directs the Washington State University Stormwater Center to develop and coordinate a statewide Don't Drip and Drive Program to address stormwater pollution and help drivers properly maintain cars.

SENATE COMMITTEE ON ENVIRONMENT, ENERGY & TECHNOLOGY

Staff: Jan Odano (786-7486)

Background: <u>Washington State University Stormwater Center.</u> The Washington State University (WSU) Stormwater Center is a collaboration between the University of Washington and the WSU. The WSU Stormwater Center was created in 2010 as a result of legislative direction to the Department of Ecology (Ecology) to create a stormwater technical resource center engaged in research, development, technology demonstration and transfer, education, outreach, and training. The WSU Stormwater Center is charged with reviewing and evaluating emerging stormwater technologies, developing solutions to remove pollutant runoff, conducting pilot projects, and coordinating with other agencies in administering stormwater control programs.

<u>Water Discharge Permits.</u> The federal Clean Water Act establishes the National Pollutant Discharge Elimination System (NPDES), which regulates wastewater discharges. Ecology has been delegated authority to issue wastewater permits to cities and counties. The NPDES

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permits are required for anyone, including local governments, who discharges wastewater to state surface waters.

<u>Don't Drip and Drive.</u> Between 2011 and 2017, Ecology funded a "Don't Drip and Drive" Program (Program) to educate vehicle owners regarding car leaks and to encourage drivers to check for and repair leaks to help reduce stormwater contamination. The Program was limited in scope to the Puget Sound region. Local governments that participate in Ecology's Program receive credit under Municipal Stormwater NPDES permit requirements for public education and outreach. The Program identified strategies to interest vehicle owners to repair leaks, identified and developed best practices to lead to a model program, and used auto and lube shops, technical colleges, and volunteers to undertake certain leak-focused activities.

Program activities were primarily funded through grants from Ecology to local lead agencies. State grant funding for the Program ended in 2017, although some local jurisdictions continued to implement aspects of the Program.

In 2018, the Legislature provided a budget proviso directing Ecology to convene a workgroup to analyze possible statewide expansion of the Program. In October 2018, Ecology submitted a report to the Legislature summarizing the workgroup's recommendations that the WSU Stormwater Center be the state's managing entity for a statewide Program. The report also made recommendations regarding the potential funding requirements and sources, Program partners, and performance measures for the Program.

Summary of Bill: The WSU Stormwater Center must develop and coordinate a statewide Don't Drip and Drive Program. The WSU Stormwater Center should work with a statewide steering committee, including representatives of state agencies, local governments, and specified stakeholder groups. A report with a plan for the Program is due to the Legislature on May 1, 2021.

WSU must employ through the Program behavior change strategies to prevent stormwater pollution from leaking motor vehicles, help drivers maintain vehicles, and help local jurisdictions meet NPDES requirements. A number of requirements are established for the Program, including the use of:
 • local partnerships to promote the Program;
 • messaging to motivate vehicle owner identification and repair of leaks;
 • incentives, to the extent that funding or resources are provided, to ensure success; and
 • measures to address environmental justice and equity issues, including outreach to specified types of vehicle owners.

The scope of the Program should be expanded to all areas of Washington, and local jurisdictions should have an opportunity, but not a requirement, to participate. The Program should provide technical assistance and materials to local jurisdictions and specified types of public outreach activities, including advertising, events, partnerships, and outreach to businesses and fleet owners.

The WSU Stormwater Center may contract with trade associations or vehicle repair professionals to leverage expertise.

An intent is declared that, to the extent that funds are appropriated to the WSU Stormwater Center, the money should be used to develop and plan to implement the Program and provide technical assistance and education.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This will expand the program statewide and allows WSU is the appropriate entity to manage this program and it will allow them to use their technical expertise when helping local entities. This will help reduce contamination of stormwater. The program provides locals with the opportunity to assist their communities with their vehicles.

Persons Testifying: PRO: Representative Bill Ramos, Prime Sponsor; Kimberly Goetz, Department of Ecology.

Persons Signed In To Testify But Not Testifying: No one.