

SENATE BILL REPORT

SB 5811

As Amended by House, March 5, 2020

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: Senators Nguyen, Rolfes, Wilson, C., Liias, Das, Hunt, Kuderer and Saldaña.

Brief History:

Committee Activity: Environment, Energy & Technology: 2/12/19, 2/14/19 [DP, DNP, w/oRec].

Floor Activity:

Passed Senate: 3/04/19, 26-22; 1/15/20, 26-23.

Passed House: 3/05/20, 57-40; 3/05/20, 55-42.

Brief Summary of Bill

- Authorizes the Department of Ecology (DOE) to adopt California zero emission vehicle program regulations.
- Removes the requirement for DOE to convene an advisory group to review rules prior to rule adoption.
- Removes the requirement for the order of adoption to include the Governor's signature.
- Expands the types of vehicles required to meet California standards to include medium duty vehicles.
- Expands the types of vehicles on which a manufacturer is required to affix a label that discloses comparative greenhouse gas emissions for that new vehicle to include medium duty vehicles.

SENATE COMMITTEE ON ENVIRONMENT, ENERGY & TECHNOLOGY

Majority Report: Do pass.

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.

Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Billig, Das, Lias, McCoy, Nguyen and Wellman.

Minority Report: Do not pass.

Signed by Senators Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Brown, Rivers and Short.

Minority Report: That it be referred without recommendation.

Signed by Senators Sheldon, Assistant Ranking Member, Energy & Technology; Hobbs.

Staff: Angela Kleis (786-7469)

Background: Under the federal Clean Air Act, states have the option to implement either federal motor vehicle emission standards, or California motor vehicle emissions standards for passenger cars, light-duty trucks, and medium-duty passenger vehicles. The motor vehicle emissions standards established by California contain both low-emission and zero emission requirements.

In 2005, the Legislature adopted the California emission standards for passenger cars, light duty trucks, and medium duty passenger vehicles in effect on January 1, 2005, except for the zero emission vehicle standards. Under current law, DOE has rulemaking authority to implement standards and to amend rules to maintain consistency with the California standards and federal laws. DOE must convene an advisory group to review and comment on any proposed rules or changes to rules prior to rule adoption. The order for final adoption of a rule must include the Governor's signature.

Under current law, no model year 2010 or subsequent model year new passenger car, light duty truck, or medium duty passenger vehicle may be sold in Washington unless there is a label on which the manufacturer clearly discloses comparative greenhouse gas emissions for that new vehicle.

Summary of Bill: The restriction on the adoption of California zero emission vehicle program regulations is removed. Additionally, the requirements regarding the advisory group, review of rules prior to adoption, and the order for final adoption are removed. The types of vehicles required to meet California standards is expanded to include medium duty vehicles.

The types of vehicles on which a manufacturer is required to affix a label that discloses comparative greenhouse gas emissions for that new vehicle is expanded to include medium duty vehicles.

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 bill helps improve air quality. Washington residents should have access to the full range of zero emission vehicle (ZEV) options that are available in other ZEV states.

CON: We oppose the ZEV mandate. This is a manufacturer mandate to make more ZEVs, which is not fair and unnecessarily drives up costs. This bill does not support air quality.

Persons Testifying: PRO: Senator Joe Nguyen, Prime Sponsor; Craig Kenworthy, Puget Sound Clean Air Agency.

CON: Mike Ennis, Association of Washington Business; Michael Transue, Association of Global Automakers; Ryan Spiller, Alliance of Auto Manufacturers.

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

EFFECT OF HOUSE AMENDMENT(S):

- Directs DOE to adopt California's vehicle emission standards, without specifying the types of vehicles to which those standards apply, but explicitly including the zero emission vehicle program.
- Repeals existing law that requires DOE to provide two systems of early credits and banking for manufacturers of zero emission vehicles produced and sold prior to the implementation of the zero emission vehicle program in Washington.
- Adopts California vehicle emission standards and programs in Washington regardless of whether Oregon has also adopted California's standards for the same vehicle model years.
- Eliminates the exemption from vehicle emission inspection requirements for model years of vehicles that are required to meet California vehicle emission standards in Washington.