

**WAC 173-901-150 Brake friction material manufactured as part of an original equipment service contract (OESC).** (1) Brake friction materials manufactured as part of an original equipment service contract (OESC) are not required to comply with either of the following:

(a) RCW 70.285.030(1) and WAC 173-901-050(1), for brake friction materials designed for use on vehicles manufactured prior to January 1, 2015; or

(b) RCW 70.285.030(2) and WAC 173-901-050(2), for brake friction materials, designed for use on vehicles manufactured prior to January 1, 2021.

(2) Brake friction materials manufactured as part of an OESC are still subject to all other requirements of chapter 70.285 RCW and this chapter including, but not limited to, certification of compliance, marked proof of certification, and reporting requirements.

(3) A vehicle manufacturer must have a system in place to ensure that brake friction material manufactured as part of an OESC is only installed on the vehicles for which it is designed.

**(4) How does a manufacturer of brake friction material manufactured as part of an OESC certify compliance with the requirements of chapter 70.285 RCW and this chapter?**

(a) If a brake friction material manufactured as part of an OESC does not contain any of the regulated constituents or copper in amounts exceeding the specified concentrations, the manufacturer of the brake friction material should certify using the normal procedure outlined in WAC 173-901-060.

(b) If the brake friction material contains more than the specified concentrations, the manufacturer of the brake friction material must follow the same procedure outlined in WAC 173-901-060 except that:

(i) For brake friction materials manufactured as part of an OESC for vehicles manufactured prior to January 1, 2015, manufacturers of brake friction material will not be required to submit testing results for the regulated constituents. For brake friction materials manufactured as part of an OESC for vehicles manufactured from January 1, 2015, through December 31, 2020, manufacturers of brake friction material will be required to submit testing results for the regulated constituents. To fulfill the reporting requirements under RCW 70.285.070 and WAC 173-901-110, manufacturers of brake friction materials manufactured as part of an OESC for vehicles of any date of manufacture must meet the initial baseline reporting requirements for concentrations of antimony, copper, nickel, and zinc and their compounds as required by WAC 173-901-110 (3) through (7), and after submitting the initial baseline report, must submit testing results to an industry-sponsored registrar and to the department for copper, nickel, zinc, and antimony.

(ii) Brake friction manufacturers must ensure that the unique identification code reported to the department and marked on brake friction materials manufactured as part of an original equipment service contract ends in a "WX" or "X"; and

(iii) Brake friction manufacturers must include in the self-certification documentation, submitted to the department and an industry-sponsored registrar, a description of the vehicle model and its year of manufacture for which the brake friction material is manufactured.

**(5) May brake friction material manufactured as part of an OESC be installed on a vehicle other than the one it is designed for?** Brake friction material manufactured as part of an OESC must not be sold or offered for sale for use on a vehicle other than the vehicle

model and model year described in the self-certification documentation.

[Statutory Authority: Chapter 70.285 RCW. WSR 12-21-082 (Order 10-17), § 173-901-150, filed 10/19/12, effective 11/19/12.]