

SENATE BILL REPORT

SB 6309

As Reported By Senate Committee On:
Water, Energy & Telecommunications, January 25, 2008

Title: An act relating to presale and ongoing disclosure of greenhouse gas tailpipe emissions from new motor vehicles.

Brief Description: Requiring disclosure of greenhouse gas tailpipe emissions.

Sponsors: Senators Rockefeller, Kohl-Welles, Jacobsen, Regala, Oemig, Pridemore, Murray, Marr, Hatfield, Kline and Tom.

Brief History:

Committee Activity: Water, Energy & Telecommunications: 1/16/08, 1/25/08 [DPS, DNP].

SENATE COMMITTEE ON WATER, ENERGY & TELECOMMUNICATIONS

Majority Report: That Substitute Senate Bill No. 6309 be substituted therefor, and the substitute bill do pass.

Signed by Senators Rockefeller, Chair; Murray, Vice Chair; Honeyford, Ranking Minority Member; Delvin, Fraser, Hatfield, Oemig, Pridemore and Regala.

Minority Report: Do not pass.

Signed by Senators Holmquist and Morton.

Staff: Scott Boettcher (786-7416)

Background: Greenhouse gases are substances that include carbon dioxide (CO₂), methane, and chlorofluorocarbons. Greenhouse gas emissions contribute to global warming. In Washington, automobiles account for roughly 25 percent of total greenhouse gas emissions. The transportation sector as a whole contributes nearly 45 percent of total state greenhouse gas emissions. Presently no requirement exists in Washington to disclose to consumers, other motorists, or the general public the greenhouse gas tailpipe emissions of new motor vehicles. California and New York have recently passed legislation requiring disclosure of greenhouse gas tailpipe emissions, and are now developing consumer disclosure labeling programs for new automobiles.

Summary of Bill (Recommended Substitute): The Department of Ecology (Ecology) must develop and implement a greenhouse gas emissions disclosure labeling program. Disclosure labels must be conspicuously affixed to new passenger cars, light duty trucks, and medium duty passenger vehicles beginning with the 2010 model year. Disclosure labels must provide consumers with information comparing the vehicle's green house gas emissions with: (1) the

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average emissions of all cars in the same model year; and (2) the lowest emissions of all cars in the model year. The label must use an index or rating system to help communicate this information and be updated as necessary so consumers can readily understand differences in emissions among motor vehicles. An emissions disclosure label that complies with the requirements of the California vehicle labeling program must be deemed to meet the requirements of this act. Automobile manufacturers may apply to Ecology for approval of an alternative to the disclosure labeling requirement, provided the alternative is as effective as the disclosure label required by Ecology. Ecology must provide the Legislature with a progress report by December 1, 2008. The report must also provide: (1) an update on the status of California's greenhouse gas vehicle labeling program; and (2) recommendations as necessary for legislation to meet the intent and purpose of the act by the 2010 model year.

EFFECT OF CHANGES MADE BY WATER, ENERGY & TELECOMMUNICATIONS COMMITTEE (Recommended Substitute): Makes several technical language edits to original bill to make more consistent with greenhouse gas emission disclosure labeling statutes in California, New York, and Vermont. Removes "tailpipe" throughout. Changes "motor vehicle" to "passenger car, light duty truck, and medium duty passenger vehicle" throughout.

Adds new language stating that any emissions disclosure label that complies with the requirements of the California vehicle labeling program must be deemed to meet the requirements of this act.

Removes definitions section containing terms "greenhouse gas" and "motor vehicle" as the section tended to complicate implementation of the California label.

Removes requirement that the label be displayed "permanently" as well as on an "on-going" basis.

Broadens scope of Ecology's December 2008 report to the Legislature to also include: update on the status of California's greenhouse gas vehicle labeling program; and recommendations as necessary for legislation to meet the intent and purpose of the act by the 2010 model year.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony on Original Bill: OTHER: Automobile manufacturers will be challenged to meet labeling requirements that differ across states. Proposed disclosure labeling program for Washington should follow the lead of California and look to the labeling approach being developed by the California Air Resources Board as a way of ensuring consistency across states, e.g., as states of VT and NY have done. Pursuing a permanently affixed label requirement poses a challenge to automobile manufactures. Implementation issues will need to be worked out by the department as the labeling program is developed, e.g., determining enforcement, liability and responsibility for placing the label (auto dealers versus auto manufactures), structuring the label to recognize different vehicle

classes, sizes, and types, and addressing how permanent labeling will work when cars are bought across state lines.

Persons Testifying: OTHER: Nancee Wildermuth, Alliance of Auto Manufacturers; Cliff Webster, General Motors; Marshall Taylor, Department of Ecology; Dennis McLerran, Puget Sound Clean Air Agency; Scott Hazelgrove, Washington State Auto Dealers Association.