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ENGROSSED SUBSTITUTE HOUSE BILL 2996

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State of Washington

60th Legislature

2008 Regular Session

By House Commerce & Labor (originally sponsored by Representatives Loomis, Dunshee, Simpson, and Morrell)

READ FIRST TIME 02/05/08.

1 AN ACT Relating to placing averse agents in antifreeze; and adding  
2 new sections to chapter 19.94 RCW.

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

4 NEW SECTION. **Sec. 1.** (1) Any engine coolant or antifreeze  
5 manufactured or distributed in the state of Washington after January 1,  
6 2010, that contains more than ten percent ethylene glycol shall contain  
7 denatonium benzoate at a minimum of thirty parts per million and a  
8 maximum of fifty parts per million as an averse agent so as to render  
9 the product unpalatable.

10 (2) The requirements of this section apply to manufacturers,  
11 packagers, distributors, recyclers, or sellers of engine coolant or  
12 antifreeze, but not to those who install engine coolant or antifreeze  
13 for compensation.

14 (3) A manufacturer of a product subject to sections 1 through 3 of  
15 this act shall maintain a record of the trade name, scientific name,  
16 and active ingredients of any averse used under this section. The  
17 manufacturer shall make this information available to the public upon  
18 request.

1        NEW SECTION.    **Sec. 2.**    (1) A manufacturer, packager, distributor,  
2    recycler, or seller of an engine coolant or antifreeze that is required  
3    to contain an aversive agent as required by section 1 of this act shall  
4    not be liable for any personal injury, death, property damage, damage  
5    to the environment or a natural resource, or economic loss that results  
6    from the inclusion of denatonium benzoate in engine coolant or  
7    antifreeze.

8        (2) The limitation of liability provided in subsection (1) of this  
9    section does not apply to a particular liability that is not caused or  
10   is unrelated to the inclusion of denatonium benzoate in engine coolant  
11   or antifreeze.

12       NEW SECTION.    **Sec. 3.**    The requirements of sections 1 through 3 of  
13   this act shall not apply to the sale of a motor vehicle that contains  
14   engine coolant or antifreeze or to wholesale containers of fifty-five  
15   gallons or more of engine coolant or antifreeze.

16       NEW SECTION.    **Sec. 4.**    Sections 1 through 3 of this act are each  
17   added to chapter 19.94 RCW.

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