
Environmental Health Committee

HB 1033

Brief Description: Requiring the use of alternatives to lead wheel weights.

Sponsors: Representatives Campbell, Morrell, Hudgins, Hunt, Chase, Wood and Dickerson.

Brief Summary of Bill

- Directs the Department of Ecology to convene an advisory committee to identify and distribute an approved list of environmentally preferred alternatives to lead wheel weights.
- Requires a phased-in replacement of lead wheel weights on vehicles with wheel diameter of 19.5 inches or gross vehicle weight of 14,000 pounds or less by businesses involved in replacing or balancing tires.
- Requires recycling of lead wheel weights removed by tire retailers and distributors.

Hearing Date: 1/14/09

Staff: Pam Madson (786-7111)

Background:

Lead wheel weights that fall off of vehicles are a source of soil, surface and ground water contamination. Alternatives to lead wheel weights are available for use and are in use by some auto manufacturers and tire retailers.

Lead is recognized as a substance that is harmful to individuals of all ages. Lead is currently the subject of a chemical action plan process. This process develops a comprehensive plan to identify all uses and releases of lead and to recommend actions that will protect human health and the environment.

Summary of Bill:

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.

Lead wheel weights must be replaced with environmentally preferred wheel weights at the time of the first tire replacement or first tire balancing. The duty to replace is on the business that replaces or rebalances the tire after a specified date. The owner of the vehicle is not subject to this requirement.

Tire replacement or rebalancing must use environmentally preferred wheel weights for the following categories after:

- January 1, 2011 for state-owned vehicles;
- January 1, 2012 for used vehicles registered in Washington; and
- January 1, 2013 for new vehicles registered in Washington.

A list of environmentally preferred wheel weights must be developed by the Department of Ecology (DOE) in consultation with the Departments of Health and General Administration and the Traffic Safety Commission using an advisory committee by January 1, 2010. If an alternative is removed from the list, distributors, retailers, and auto manufacturers have two years to use existing stock.

Enforcement must use a warning before penalties may be imposed. The DOE will notify the affected parties of available alternatives 90 days prior to the date on which lead wheel weights may no longer be used. If use continues, the party will receive a warning. If compliance is not achieved within a year, the DOE may assess a penalty. The amount of the first penalty may not exceed \$500. Subsequent violations may incur a penalty not to exceed \$1,000 for each repeat violation. Money from penalties must be deposited in the state Toxics Control Account.

The DOE may adopt rules to implement this chapter.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.