

# SENATE BILL REPORT

## SB 5154

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As of January 21, 2021

**Title:** An act relating to prohibiting certain regulations of trucks operating on port district property.

**Brief Description:** Prohibiting certain regulations of trucks operating on port district property.

**Sponsors:** Senators Ericksen and Wilson, J..

**Brief History:**

**Committee Activity:** Transportation: 1/21/21.

**Brief Summary of Bill**

- Establishes a 15-year period during which port districts may not prohibit trucks, model years 2006 and older, from operating on port district property.
- Prohibits port districts from penalizing the operation of trucks that fail to meet emissions standards or related engine standards set by the district.

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### SENATE COMMITTEE ON TRANSPORTATION

**Staff:** Kelly Simpson (786-7403)

**Background:** Port districts are special purpose districts established in various counties of the state for, among other things, providing marine terminals, airports, and other facilities for handling cargo and accommodating passengers. Port districts also engage in economic development activities, such as promoting tourism within the district.

Port districts are governed by a directly elected commission, and are financed primarily through local property taxes, but also through service fees, bonds, grants, and gifts.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

There are currently 75 port districts in Washington State.

**Summary of Bill:** Prior to July 1, 2036, port districts may not prohibit trucks with a model year 2006 and older from operating on port district property.

Port districts may not penalize, or otherwise discriminate against, the operation of trucks that fail to meet emissions standards or related engine standards set by the district.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**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: The bill expands the time period for conversion of older model trucks used at port districts to newer model trucks. The bill would help ensure no disruption to cargo delivery.

CON: The Northwest Seaport Alliance has established a NW Ports Clean Air Strategy to reduce emissions at ports, which includes encouraging ports to transition to newer, cleaner vehicles. The bill would interfere with that initiative. Ports do not currently have authority to prohibit the types of trucks operating at port facilities, so the bill is prohibiting activity that currently does not exist under current law. Diesel exhaust contributes significantly to respiratory health problems, including over 70 percent of the cancer risk coming from air toxins, and is a class 1 carcinogen. The bill interferes with existing industry agreements regarding vehicle conversions.

OTHER: The bill interferes with the Clean Truck Fund program. It will take time for smaller ports and truck operators to upgrade truck fleets.

**Persons Testifying:** PRO: Senator Jeff Wilson.

CON: Sean Eagan, The Northwest Seaport Alliance; Kathy Taylor, Department of Ecology; Craig Kenworthy, Puget Sound Clean Air Agency; Chris Herman, Washington Public Ports Association.

OTHER: Jeff DeVere, Washington Trucking Associations.

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