

76th OREGON LEGISLATIVE ASSEMBLY – 2011 Regular Session
STAFF MEASURE SUMMARY
Senate Committee on Environment & Natural Resources

MINORITY REPORT
MEASURE: SB 945 A
CARRIER: Sen. Olsen

REVENUE: No revenue impact
FISCAL: Fiscal statement issued

Action: Do Pass with Different Amendments and Be Printed Engrossed
Signers of the Report: Sen. Olsen and Sen. Thomsen
Prepared By: Beth Patrino, Administrator
Meeting Dates: 3/31, 4/21

WHAT THE MEASURE DOES: Prohibits sale or offering for sale brake friction material or motor vehicles or trailers with brake friction material containing specified fibers or elements exceeding certain levels. Prohibition and other provisions effective day after date on which Legislative Counsel receives notice from Department of Environmental Quality (DEQ) that federal Environmental Protection Agency has adopted regulations that prohibit the manufacturing of brake friction material that contains fibers and elements at or below concentrations specified in bill. Exempts motor vehicles or trailers previously sold at retail or manufactured before operative date, specific motor vehicle models requiring brake friction material that does not comply with Act and for which no more than 1,000 units are sold annually in Oregon, brake friction material manufactured before operative date, and brake friction material made for use on motor vehicles or trailers manufactured before operative date. Allows manufacturer of specific motor vehicle or special class of motor vehicles to apply for exemption to DEQ. Authorizes DEQ to impose civil penalty on violators. Requires manufacturer to recall brake friction material within six months of discovering violation has occurred and reimburse wholesaler, retailer, distributor or consumer and pay cost of replacement. Requires manufacturers to certify compliance with provisions of Act with third party organization or accredited laboratory and mark brake friction material with proof of certification. Directs DEQ to extent practicable to consult and coordinate with other states to achieve interstate consistency. Establishes work group consisting of 10 members to develop program to identify brake friction material containing fibers and elements at or below specified concentrations, develop logo or label to mark brake friction material, administer a public education campaign regarding the manufacturing, distribution and sale of certain brake friction material. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- Washington and California laws restricting fibers and elements in brake friction material
- Effect of copper on salmon olfactory system, including predator response and homing behavior
- Studies of brake pad use and water quality concerns
- Consistency with other states' laws

EFFECT OF COMMITTEE AMENDMENT: Replaces measure.

BACKGROUND: Brake pads generate friction against discs or cylinders that in turn slow and stop a moving vehicle. Brake pads may contain a variety of ingredients, including copper. While a vehicle is stopping, a small amount of the brake pad's friction material rubs off and goes onto the roadway or into the air. This material ultimately ends up in stormwater runoff and enters lakes, creeks, rivers and marine waters. Studies conducted in San Francisco Bay identified vehicle brake pads as a significant source of copper in urban stormwater runoff.

Senate Bill 945 A (Minority) would require a reduction in the amount of copper and other materials in brake pads sold in Oregon after the federal Environmental Protection Agency adopts regulations on the manufacture of brake friction materials.

5/3/2011 9:17:00 AM

This summary has not been adopted or officially endorsed by action of the committee.