

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	3 - 2 - 0
Yeas:	Hass, Prozanski, Dingfelder
Nays:	Olsen, Thomsen
Exc.:	0
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 effective July 1, 2014. Exempts motor vehicles or trailers previously sold at retail or manufactured before July 1, 2014, 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 July 1, 2014, and brake friction material made for use on motor vehicles or trailers manufactured before July 1, 2014. Allows manufacturer of specific motor vehicle or special class of motor vehicles to apply for exemption to Department of Environmental Quality (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. Beginning July 1, 2015, 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. Adds copper and its compounds (five percent by weight) to list of elements prohibited in brake friction material effective January 1, 2021. Directs DEQ to extent practicable to consult and coordinate with other states to achieve interstate consistency. Directs DEQ to determine if Brake Friction Material Advisory Committee in state of Washington has found that alternative brake friction material is available and to make report to appropriate legislative committee. Defines “alternative brake friction material.”

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 except for whereas provisions.

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 would require a reduction in the amount of copper and other materials in brake pads sold in Oregon.