



# Oregon Diesel Bill Passed 06/30/19

## Analysis of House Bill 2007 by Portland Clean Air

Despite alarmism by Oregon industry, the bill will have limited beneficial effect in the three counties the law affects.

California estimates diesel particulate emissions cause 70% of cancer risk from all airborne carcinogens combined for their state. There is also a long list of major health effects other than cancer caused by inhaling this substance. A diesel particulate filter remove 90% of diesel particulate from exhaust before it goes airborne. Currently more than 75% of Portland area industrial diesel trucks are unfiltered according to ODOT and DMV records. In contrast nearly all California diesel trucks were filtered by 2015. The Environmental Protection Agency announced in 2018 that Multnomah ranks in the worst 1.3% of counties in the nation for airborne diesel particulate exposure.



Amid a flurry of last-minute votes, Oregon Senators voted 16-11 to pass HB 2007 to address diesel particulate pollution. Compromise led to the bill only focusing on the Portland tri-county area alone. Small operators with five or fewer trucks are exempt from the targets. Operators can distribute their old trucks around in five-unit clusters or move their trucks out of the three counties. However, there are limited funds to retrofit school buses and to retire old truck engines, and some owners will surely take advantage of that program.

The bill failed to repeal the anti-idling pre-emption, or to strengthen the statewide anti-idling provision.

### HB 2007 as passed will:

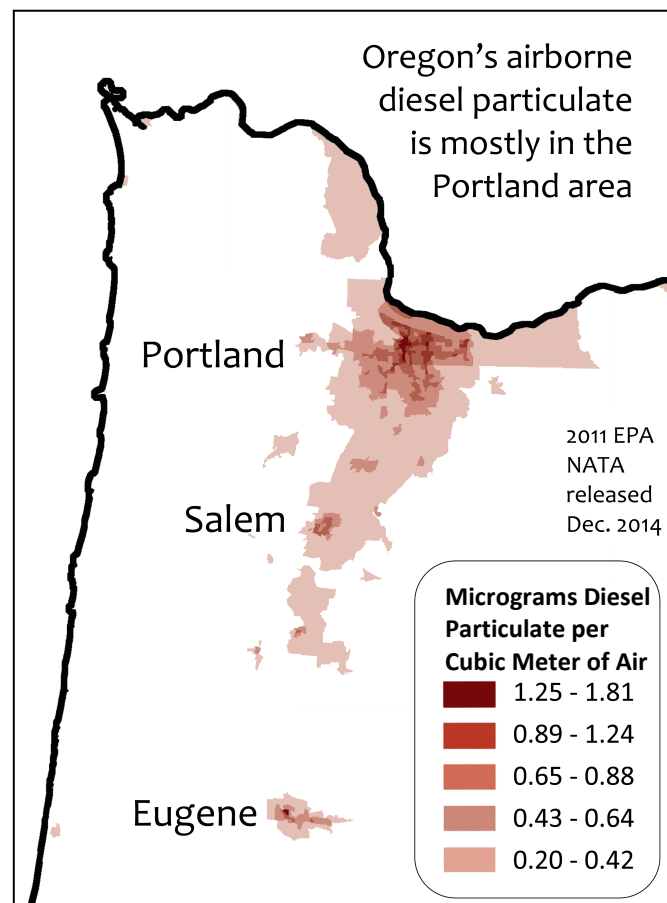
**Phase out old on-road engines:** The most effective way to reduce diesel pollution is to accelerate the uptake of cleaner engines. The bill will phase out old diesel engines in trucks in Multnomah, Clackamas and Washington counties. By 2023, all diesel-powered medium-duty and heavy-duty trucks in these three counties must run on an engine that is 1997 or newer. By 2029, all diesel-powered medium-duty trucks and publicly owned heavy-duty trucks must run on an engine that is 2010 or newer and all privately owned diesel-powered heavy-duty trucks must run on an engine that is 2007 or newer, the year that diesel engines required particulate filters by federal law. Trucks may comply by switching to a cleaner fuel or by using retrofit technology to capture emissions, and there are troublesome exemptions including fleets with five or fewer heavy-duty trucks, agriculture vehicles and emergency vehicles. This bill does not affect personally owned pickup trucks.

**Stop the addition of old trucks to fleets:** Because it will take several years to phase out old dirty diesel engines, it is important to keep the problem from getting worse in the meantime. As of 2025, the bill will stop the titling in Multnomah, Clackamas and Washington counties of engines older than 2010 for medium-duty trucks and older than 2007 for heavy-duty trucks. But a lot of old trucks can invade before then.

**Clean up construction equipment:** Off-road diesel engines like construction equipment are a major source of diesel pollution. Although the bill does not set standards for off-road engines, it will

instigate clean-up by requiring that for state-funded construction projects in Multnomah, Clackamas and Washington counties costing \$20 million or more, at least 80% of the vehicles and equipment be clean (with truck engines that are 2010 or newer and off-road engines that meets Tier 4, the highest standards). The bill also directs the Environmental Quality Commission to adopt a voluntary emission control label program for those pieces of construction equipment powered by nonroad diesel engines and operated in Oregon.

**Use Volkswagen (VW) settlement funds to clean up diesel engines:** The bill will distribute the remaining VW settlement funds via grants (the first round went to school buses ). Preference will be



given first to school buses; then to support clean-up of trucks that are subject to the phase-out and trucks and equipment used on big state contracts; trucks with three years of remaining useful life; applicants intending to use cleaner fuels; and small businesses, disadvantaged business enterprises, minority-owned businesses, women-owned businesses, and service-disabled owned-businesses.

**Develop new funding strategies to support businesses in upgrading their fleets:** The VW settlement dollars are very helpful, but don't come close to representing the amount of funding California and Washington have allocated to support businesses in making the needed transition away from dirty diesel. The "Supporting Businesses in Reducing Diesel Emissions Task Force" will consider public funding strategies beyond the VW settlement. The Oregon Department of Transportation will report on trends in truck registrations, and the Task Force will develop statewide incentive strategies and consider how to help small contractors overcome barriers to clean-up.

**This bill does not solve the problem, but it is a step in the right direction:** We applaud the efforts of Representatives Rob Nosse and Karin Power, and Senators Michael Dembrow and Kathleen Taylor, for their continued efforts to expedite diesel clean-up in Oregon. And while this particular bill is limited to the Portland metro area, we consider it to be a framework around which we can build a more robust bill within the next few years. For example, we need to consider how to stop dirty diesels coming into the Portland metro area that are titled elsewhere in Oregon or other States.

**The campaign to address Oregon diesel particulate is far from over:** As we watched this bill unfold, it became quite clear that businesses and citizens in other regions of Oregon outside the tri-county area have little concern about the effects of diesel pollution. More than anything, these regions expressed grave concerns about the negative impacts this measure, as originally introduced, would have on their local economies. Many feel that diesel is a Portland-created problem, and that this measure did not address the challenges of doing business in non-metro Oregon.

Portland Clean Air is a nonprofit organization working with 40 Portland Neighborhood Associations and 24 Portland area churches and synagogues to require diesel particulate filters on trucks. Please contact us to volunteer, donate, or for more information on this effort.