

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE HOUSE BILL 1695**

Chapter 142, Laws of 2015

64th Legislature  
2015 Regular Session

TRANSPORTATION CONSTRUCTION MATERIALS--RECYCLING

EFFECTIVE DATE: 1/1/2016

Passed by the House March 11, 2015  
Yeas 98 Nays 0

FRANK CHOPP

**Speaker of the House of Representatives**

Passed by the Senate April 13, 2015  
Yeas 47 Nays 0

BRAD OWEN

**President of the Senate**

Approved April 29, 2015 1:53 PM

JAY INSLEE

**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1695** as passed by House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

**Chief Clerk**

FILED

April 29, 2015

**Secretary of State  
State of Washington**

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ENGROSSED SUBSTITUTE HOUSE BILL 1695

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Passed Legislature - 2015 Regular Session

State of Washington

64th Legislature

2015 Regular Session

By House Environment (originally sponsored by Representatives Clibborn, Hayes, Ryu, Kochmar, Senn, Zeiger, Tarleton, Fey, Farrell, Harmsworth, Van Werven, Stanford, Fitzgibbon, Stokesbary, Wylie, Tharinger, Moscoso, Riccelli, and Santos)

READ FIRST TIME 02/20/15.

1 AN ACT Relating to establishing a priority for the use, reuse,  
2 and recycling of construction aggregate and recycled concrete  
3 materials in Washington; adding new sections to chapter 70.95 RCW;  
4 creating a new section; providing an effective date; and providing an  
5 expiration date.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** (1) The legislature finds that the  
8 Washington state highway system is extensive, with over one hundred  
9 seventy-five thousand miles of public, city, county, and state  
10 highway pavements and over eight thousand seven hundred built  
11 structures, built using large quantities of construction aggregates,  
12 asphalt, concrete, steel, and cement. Much of our transportation and  
13 infrastructure system is in need of major rehabilitation or total  
14 reconstruction. These natural resource construction materials used to  
15 build our existing system are too valuable to be wasted and  
16 landfilled. Some of the best natural construction materials produced  
17 in Washington state are already in use for highways, bridges, and  
18 building construction. Effective and responsible recycling is an  
19 effective life-cycle strategy to reuse these construction materials  
20 in the construction of new state and local transportation and

1 infrastructure projects as well as to repair, reconstruct, and  
2 maintain them.

3 (2) The legislature further finds that the recycling of  
4 aggregates and other transportation construction materials makes  
5 sound economic, environmental, and engineering sense and is in  
6 keeping with meeting Washington state's greenhouse gas reduction  
7 priorities. The economic benefits from the reuse and recycling of  
8 these valuable, finite, and nonrenewable materials can be very  
9 effective in reducing the cost of designing, engineering, and  
10 construction of new transportation projects and will make greater use  
11 of limited state and local transportation funds for additional  
12 highway construction, rehabilitation, preservation, or maintenance  
13 projects.

14 (3) The legislature further finds that the reuse of construction  
15 aggregate and recycled concrete materials into new transportation and  
16 infrastructure structure projects is known to:

17 (a) Promote the conservation and protection of permitted and  
18 unpermitted construction aggregate resources;

19 (b) Reduce the need for the consumption of new construction  
20 aggregate materials;

21 (c) Encourage the reuse and recycling of currently classified  
22 waste materials and discourage landfilling of valuable natural  
23 resources;

24 (d) Reduce waste, preserve finite landfill space, and reduce  
25 illegal dumping by encouraging reuse and recycling through sound and  
26 practical environmental best management and handling practices;

27 (e) Reduce truck trips and related transportation emissions;

28 (f) Reduce greenhouse gases related to the construction of new  
29 transportation projects, reduce embodied energy, and improve and  
30 advance the sustainable principles and practices of the state of  
31 Washington and its transportation system;

32 (g) Reduce project material and construction costs for state and  
33 local level projects; and

34 (h) Be consistent with the governor's executive order No. 13-04  
35 (September 2013), the state department of transportation  
36 sustainability executive order No. E1082.00 (August 2012), and  
37 presidential executive order No. 13423 (January 2007).

38 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.95  
39 RCW to read as follows:

1 (1) The department of transportation and its implementation  
2 partners must collaboratively develop and establish objectives and  
3 strategies for the reuse and recycling of construction aggregate and  
4 recycled concrete materials. This process must include the  
5 development of criteria for the successful and sustainable long-term  
6 recycling of construction aggregate and recycled concrete materials  
7 in Washington state transportation, roadway, street, highway, and  
8 other transportation infrastructure projects.

9 (2) The department of transportation must, unless construction  
10 aggregate and recycled concrete materials are not readily available  
11 and cost-effective, specify and annually use a minimum of twenty-five  
12 percent construction aggregate and recycled concrete materials on its  
13 cumulative transportation, roadway, street, highway, and other  
14 transportation infrastructure projects.

15 (3)(a) All local governmental entities with a population of one  
16 hundred thousand residents or more must, as part of their contracting  
17 process, request and accept bids that include the use of construction  
18 aggregate and recycled concrete materials for each transportation,  
19 roadway, street, highway, or other transportation infrastructure  
20 project.

21 (b) Prior to awarding a contract for a transportation, roadway,  
22 street, highway, or other transportation infrastructure project, the  
23 local governmental entity must compare the lowest responsible bid  
24 proposing to use construction aggregate and recycled concrete  
25 materials with the lowest responsible bid not proposing to use  
26 construction aggregate and recycled concrete materials, and award the  
27 contract to the bidder proposing to use the highest percentage of  
28 construction aggregate and recycled concrete materials if that bid is  
29 the same as, or less than, a bidder not proposing to use construction  
30 aggregate and recycled concrete materials or proposing to use a lower  
31 percentage of construction aggregate and recycled concrete materials.

32 (4) Any local governmental entity with a population of less than  
33 one hundred thousand residents must:

34 (a) Review and determine the capacity for recycling and reuse of  
35 construction aggregate and recycled concrete materials for roadway,  
36 street, highway, and other transportation infrastructure projects in  
37 its jurisdiction;

38 (b) Establish practical and applicable strategies to recycle and  
39 reuse construction aggregate and recycled concrete materials for

1 roadway, street, highway, and other transportation infrastructure  
2 projects in its jurisdiction; and

3 (c) Upon the completion of the review and strategy development,  
4 begin implementing the strategies to achieve the recycling and reuse  
5 objectives established for its jurisdiction.

6 (5) The applications and related specification standards for  
7 state and local transportation and infrastructure projects that reuse  
8 and recycle construction aggregate and recycled concrete materials to  
9 be used in the implementation of this section are outlined in the  
10 department of transportation's standard specifications for road,  
11 bridge, and municipal construction, section 9-03.21, table  
12 9-03.21(1)E.

13 (6) The definitions in this subsection apply throughout this  
14 section unless the context clearly requires otherwise.

15 (a) "Construction aggregate and recycled concrete materials"  
16 means reclaimed coarse and fine aggregate cement and concrete  
17 mixtures as commonly defined by the American public works  
18 association, the federal highway administration, and department of  
19 transportation specifications.

20 (b) "Implementation partners" means local governmental entities  
21 and interested Washington-based associations representing the  
22 appropriate sectors of the construction industry.

23 (c) "Local governmental entities" means cities or counties.

24 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.95  
25 RCW to read as follows:

26 (1) The department of transportation, together with its  
27 implementation partners, as that term is defined in section 2 of this  
28 act, must report annually to the legislature on the implementation of  
29 section 2 of this act. The annual report must be submitted to the  
30 legislature, consistent with RCW 43.01.036, by January 2nd of each  
31 year from 2017 through 2020.

32 (2) This section expires July 1, 2021.

33 NEW SECTION. **Sec. 4.** This act takes effect January 1, 2016.

Passed by the House March 11, 2015.  
Passed by the Senate April 13, 2015.  
Approved by the Governor April 29, 2015.  
Filed in Office of Secretary of State April 29, 2015.

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