
ENGROSSED SUBSTITUTE HOUSE BILL 1695

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.

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