

### The Better Brakes Law

In 2010, Washington State passed a law reducing the use of toxic material in automotive brake pads and shoes. This law restricts the use of several heavy metals and asbestos, and provides for a phase-out of copper. This law was the result of a collaborative effort and passed with the support of brake and automobile manufacturers, environmental groups, and Washington state businesses.

The law is intended to remove toxic metals from brake pads, so compliance with the law falls mainly on brake manufacturers. However, this law also affects brake pad retailers and installers, who must be aware of how pads and shoes will be marked to determine if they comply with the law.

#### Rule making

The Better Brakes Law requires that the Department of Ecology (Ecology) write rules or regulations to implement the law. The rules will explain how brake pads and shoes will be certified, describe how they will be marked, define terms, and fill in details regarding how people must comply with the requirements of the law.

Ecology convened a group of leading braking and automotive industry experts, small business owners, and environmental nonprofits to form the Better Brakes Rule Advisory Workgroup. This group helped us create preliminary draft regulations. All of the workgroup materials including handouts, meeting minutes, and agendas can be viewed on the Better Brakes Web site.

Now that preliminary draft regulations have been developed, Ecology will be hosting two workshops, (one in-person and one online) where we will solicit comments from the public prior to formally proposing regulations in spring of 2012.

#### Are low-copper brakes safe?

Yes! Brake manufacturers assured Ecology that they can make low-copper pads that are just as safe, effective, and reliable as their high-copper counterparts. The Better Brakes law was passed with the support of brake manufacturers – who played a critical role throughout the development of this law.

#### Why it Matters

As brake pads wear down, copper and other metals are deposited on roadways, where they are washed into our streams and rivers. In urban areas, brake pads account for up to half of the copper entering our waterways.

Copper is highly toxic to fish and other aquatic species. Young salmon are especially susceptible to the effects of copper. Removing copper and other toxic metals from brake materials will help clean up Puget Sound and other water bodies around the state.

Ecology is seeking comments on the draft rules for this law. See the other side of this focus sheet for instructions on how to submit comments.

#### If you have questions or need more information, contact:

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#### Special accommodations

If you need this document in a format for the visually impaired, call the Hazardous Waste and Toxics Reduction Program at 360-407-6700.

Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call 877-833-6341.

Ecology also worked very closely with groups such as the Society of Automotive Engineers to ensure there are no safety concerns with low-copper brakes. And, if there are certain vehicle models or types of vehicles for which low-copper brakes are not feasible, the manufacturers of these vehicles will be able to apply for an exemption from this law.

## Major provisions of the Better Brakes Law

- Brake pads and shoes manufactured after January 1, 2014, must not contain asbestos, hexavalent chromium, mercury, cadmium, or lead. Auto shops and other distributors of brakes will be able to sell any existing inventory for ten years.
- Brake pads manufactured after January 1, 2021, must not contain more than five percent copper by weight.
- Beginning in 2015, Ecology will review relevant information and consult with a committee of experts to determine if alternative brake friction materials, containing less than 0.5 percent copper, are available.
- Eight years after Ecology determines that alternative brake friction materials are available, brake pads containing more than 0.5 percent copper may not be sold in the state.
- Brake manufacturers will use accredited laboratories and certify to Ecology that their brake pads and shoes comply with the law and will mark proof of certification on all pads and packaging offered for sale in Washington.
- Ecology will track data provided by manufacturers to ensure that concentrations of nickel, zinc, and antimony in automobile brake pads do not increase by more than 50 percent.



## How to submit comments on the draft rules

**Comments must be submitted by February 15, 2012.** A copy of the draft rules may be found on the Better Brakes Web site [www.ecy.wa.gov/programs/hwtr/betterbrakes.html](http://www.ecy.wa.gov/programs/hwtr/betterbrakes.html). Comments can be submitted:

- At either of the public workshops (see [Web site](#) for details.)
  - **January 26, 2012, 9 a.m. until noon: Tukwila, Washington**
  - **January 31, 2012, 10 a.m. until noon: Online workshop.**
- Online through the [Better Brakes Web site](#).
- E-mail comments to Ian Wesley directly at [ian.wesley@ecy.wa.gov](mailto:ian.wesley@ecy.wa.gov).
- Mail or hand deliver comments to him at:

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