The District’s Bag Law

Kate Judson
Environmental Protection Specialist
District Department of the Environment
Presentation Outline

➢ Overview of the law

➢ Enforcement process

➢ Revenue collected and how it’s used

➢ Effectiveness of the law
How the law came about
Effective January 1, 2010, all District retailers that sell food or alcohol must charge a 5¢ fee for each paper or plastic disposable bag provided to customers at the point of sale.
Exemptions

Some plastic and paper bags used inside a store are exempt from the fee, if they:

- Package bulk items
- Contain or wrap “leaky” foods or items where moisture may be a problem
- Unwrapped food products like muffins

And...

Restaurants with seating get a paper bag exemption.
Material & Labeling Requirements

• 100% recyclable

• “Please Recycle This Bag” phrase

• Paper bags must contain a minimum of 40% post-consumer recycled content

• Plastic bags:
Inspection and Enforcement Process

- Step 1: Inspection of business
- Step 2: Notice of Violation
- Step 3: Reinspection of business
- Step 4: Notice of Infraction ($100)
- Step 5: Another reinspection
- Step 6: Notice of Infraction ($200...$400...$800)
Intent of the law

To change behavior vs. generate revenue.
Where does the nickel go?

- Businesses retain $.01 and submit $.04 to the Office of Tax and Revenue.

- *Carry-out Bag Credit Program* allows businesses to keep $.02 of the $.05 collected.

- Fees deposited into special purpose fund, administered by DDOE.
## Revenue Collected

<table>
<thead>
<tr>
<th>Fiscal year</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
<td>$1,510,088</td>
<td>$1,845,313</td>
<td>$1,993,183</td>
<td>$2,001,575</td>
<td>$2,084,613</td>
</tr>
</tbody>
</table>
Projects funded by the law

RiverSmart Homes
A program of the District Department of the Environment

District Department of the Environment

Clean water starts here
Projects funded by the law
Comprehensive Study

• In February 2012, DDOE released a Request for Applications to measure the impact of the Bag Law on disposable bag usage rates in the District.

• Project objectives:
  
  ➢ Quantify change in bag use
  
  ➢ Measure attitudes towards the law
Who was surveyed?

• Residents:
  ➢ 600 randomly selected residents
  ➢ Landlines and cell phones
  ➢ Dates: January 16-20, 2013

• Businesses
  ➢ 177 randomly selected business owners
  ➢ Front-line employees and managers
  ➢ Combination of in-person and phone interviews, including the use of two interpreters
  ➢ Dates: February 14 – April 9, 2013
Reduction in Plastic Bag Litter

“Compared to three or four years ago, are you seeing (randomize): [more, fewer, (or) about the same amount of] plastic bags found as litter around your business?”
Residents are Using 80% fewer bags

74% of African-American
80% of White
86% of Hispanic
87% of Asian
91% of Mixed Race

...Residents using fewer disposable bags.

“As you may recall, in 2010 D.C. introduced a new 5-cent fee on disposable bags at stores and carry-outs. Have you reduced your usage of disposable bags since the 5-cent bag fee was introduced in 2010?”
### Estimated Household Bag Use

<table>
<thead>
<tr>
<th>Number of Bags</th>
<th>Typical Week Before the Law</th>
<th>“The Last Week” (Jan. 2013)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>3%</td>
<td>23%</td>
</tr>
<tr>
<td>1</td>
<td>2%</td>
<td>7%</td>
</tr>
<tr>
<td>2</td>
<td>5%</td>
<td>9%</td>
</tr>
<tr>
<td>3-5</td>
<td>21%</td>
<td>25%</td>
</tr>
<tr>
<td>6-9</td>
<td>11%</td>
<td>10%</td>
</tr>
<tr>
<td>10-19</td>
<td>30%</td>
<td>17%</td>
</tr>
<tr>
<td>20+</td>
<td>20%</td>
<td>8%</td>
</tr>
<tr>
<td>Not sure</td>
<td>8%</td>
<td>1%</td>
</tr>
<tr>
<td><strong>Median</strong></td>
<td><strong>10 bags</strong></td>
<td><strong>4 bags</strong></td>
</tr>
</tbody>
</table>

*Before the 5-cent bag fee was introduced in 2010, about how many disposable bags came into your household from stores and carry-outs in a typical week?*

*If you were to think back over the last week, in other words the last seven days, and try to estimate the number of disposable bags that have come into your household from stores and carry-out restaurants located in D.C., what number would you say?*
Residents Carrying Reusable Bags

79% are carrying reusable bags.

“Are you bringing reusable bags with you when you shop always, most of the time, some of the time, seldom, or never?”
## Change in Bags Purchased by Businesses

<table>
<thead>
<tr>
<th>Calculated Change</th>
<th>% of Businesses</th>
</tr>
</thead>
<tbody>
<tr>
<td>81 – 100% reduction</td>
<td>4%</td>
</tr>
<tr>
<td>61 – 80% reduction</td>
<td>20%</td>
</tr>
<tr>
<td>41 – 60% reduction</td>
<td>44%</td>
</tr>
<tr>
<td>21 – 40% reduction</td>
<td>23%</td>
</tr>
<tr>
<td>1 – 20% reduction</td>
<td>2%</td>
</tr>
<tr>
<td>No change</td>
<td>6%</td>
</tr>
<tr>
<td>Increase</td>
<td>2%</td>
</tr>
<tr>
<td><strong>Median</strong></td>
<td><strong>50% reduction</strong></td>
</tr>
</tbody>
</table>

“How many disposable bags are you buying for your business in a typical month today, whether that is the total number of bags, the number of cases of bags you order, or the amount your business spends on disposable bags?”

“Using the same type of measurement, in other words (fill in appropriate measure based on prior question): {number of bags/cases of bags/dollars spent on bags}, how many disposable bags were you buying for your business in a typical month before the bag law went into effect three years ago?”
Resident Support for Bag Law

“Do you support the law, are you bothered by the law, or do you have no feelings about it either way?”

- Support the law: 53%
- No feeling: 30%
- Bothered: 16%
- Not sure: 16%
Business Support for Bag Law

“Do you personally support the law, are you bothered by the law, or do you have no feelings about it either way?”
“Overall, has the bag fee affected your business positively, negatively, or hasn’t affected you either way?”

69% positive or neutral impact

- Positively: 21%
- Hasn't affected: 48%
- Mixed: 8%
- Negatively: 19%
- Not sure: 4%
Financial Impact on Businesses

10%  Business saved money
50%  Did not save money
40%  Not sure

“Have you found that your business has saved money by buying fewer bags for your customers, or through keeping a portion of the 5-cent fee?”
### Main Purpose of the Law

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>To encourage people to use fewer disposable bags</td>
<td>51%</td>
</tr>
<tr>
<td>To raise general revenue for the D.C. Government</td>
<td>23%</td>
</tr>
<tr>
<td>To raise money for a specific purpose</td>
<td>15%</td>
</tr>
<tr>
<td>Or something else</td>
<td>8%</td>
</tr>
<tr>
<td>All of those purposes (Not read)</td>
<td>2%</td>
</tr>
<tr>
<td>Not sure</td>
<td>6%</td>
</tr>
</tbody>
</table>

Residents primarily see the law as an agent of behavior change, not revenue-raising.

“Which of these do you think is the main purpose of the law?” (Read list.)
Contact

Kate Judson
Environmental Protection Specialist
Stormwater Management Division
202-407-1227
kate.judson@dc.gov