

FINAL BILL REPORT

2SHB 1481

C 459 L 09
Synopsis as Enacted

Brief Description: Regarding electric vehicles.

Sponsors: House Committee on Finance (originally sponsored by Representatives Eddy, Crouse, McCoy, Haler, Carlyle, Armstrong, Hunt, White, Dunshee, Priest, Appleton, Orwall, Rolfes, Hudgins, Hinkle, Upthegrove, Clibborn, Morrell, Ormsby, Kenney, Maxwell, Dickerson and Pedersen).

House Committee on Technology, Energy & Communications

House Committee on Finance

Senate Committee on Environment, Water & Energy

Senate Committee on Transportation

Senate Committee on Ways & Means

Background:

Electric Vehicles.

Electricity can be used as a transportation fuel to power electric vehicles. Electric vehicles are propelled by an electric motor powered by rechargeable battery packs. These vehicles typically have limited energy storage capacity, which must be replenished by plugging the vehicle into an electrical source to recharge the battery.

Electricity or Biofuel Use by State Agencies.

By the year 2015, all state agencies and local government subdivisions of the state must satisfy 100 percent of their fuel needs for all vessels, vehicles, and construction equipment from electricity or biofuels. If after 2015 the Department of Community, Trade and Economic Development (DCTED) determines that the 100 percent biofuel use mandate is not practicable, then the DCTED may suspend, delay, or modify the requirement.

State Environmental Policy Act.

The State Environmental Policy Act (SEPA) requires local governments and state agencies to prepare an environmental impact statement (EIS) if proposed legislation or other major action may have a probable significant adverse impact on the environment. The responsible official has authority to make the threshold determination as to whether an EIS must be prepared. If it appears a probable significant adverse environmental impact may result, the proposal may be altered or its probable significant adverse impact mitigated. If this cannot

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be accomplished, an EIS is prepared. The EIS is limited, or scoped, to address only the matters determined to have a probable significant adverse environmental impact.

Summary:

Puget Sound Regional Council Study.

The Puget Sound Regional Council (PSRC) is required to seek federal or private funding related to planning for electric vehicle infrastructure deployment. These efforts should include:

- development of short-term and long-term plans for how state and local governments may include electric vehicle infrastructure in parking facilities;
- consultations with the State Building Code Council and the Department of Labor and Industries to coordinate state standards to ensure that appropriate electric circuitry may be installed to support electric vehicle infrastructure;
- consultation with the Workforce Development Council and the Higher Education Coordinating Board to ensure the development of educational and training opportunities related to electric vehicles;
- development of an implementation plan for counties over 500,000 in population to achieve 10 percent electric vehicle ready parking by December 31, 2018; and
- development of model ordinances and guidance for local governments related to the siting and installation of electric vehicle infrastructure.

Any plans and recommendations developed by the PSRC must be submitted to the Legislature by December 31, 2010, or as soon as practicable after securing any federal or private funding. Priority will be given to the development of model ordinances and guidance for local governments related to the siting and installation of electric vehicle infrastructure.

Electricity or Biofuel Use by State Agencies.

State agencies, to the extent practicable as determined by the Department of Community Trade and Economic Development (DCTED), must achieve 40 percent fuel usage using electricity or biofuel for publicly owned vessels, vehicles, and construction equipment by June 1, 2013.

Charging and Battery Exchange Stations.

By December 31, 2015, the state must, to the extent practicable:

- install charging outlets capable of charging electric vehicles in each of the state's fleet parking and maintenance facilities;
- install charging outlets capable of charging electric vehicles in all state-operated highway rest stops; and
- install or lease space for installation of a battery exchange and charging station in appropriate state-operated highway rest stops.

These obligations are subject to the availability of funds appropriated to the Department of Transportation for these activities.

Lease of Public Property.

State and local governments may lease public property for electric vehicle infrastructure.

Review Under the State Environmental Policy Act.

Battery charging stations and battery exchange stations will not lose their categorically exempt status under the State Environmental Policy Act (SEPA) as a result of their being parts of a larger proposal under the SEPA rules.

Local Regulation.

By July 1, 2010, electric vehicle infrastructure must be allowed under the development regulations of a local jurisdiction if: (1) the jurisdiction is adjacent to Interstate 5 (I-5), Interstate 90 (I-90), Interstate 405 (I-405), or State Route 520 (SR 520) and has a population of over 20,000 in a county with a population of over one million five hundred thousand; (2) the jurisdiction is adjacent to I-5 and is located in a county with a population greater than 600,000; or (3) the jurisdiction is adjacent to I-5 and located in a county with a state capitol within its borders.

By July 1, 2011, or six months after a model ordinance is distributed, whichever is later, all jurisdictions adjacent to I-5, I-90, I-405, or SR 520 must allow electric vehicle infrastructure and battery charging stations under their development regulations as a use in all areas, except those areas zoned for residential, resource use, or critical areas. A jurisdiction may adopt and apply other development regulations that do not have the effect of precluding the siting of electric vehicle infrastructure or battery charging stations in areas where that use is allowed.

Incentive Programs.

Cities may adopt incentive programs to encourage retrofitting of existing structures with electric outlets capable of charging electric vehicles.

Tax Incentives.

Electric vehicle infrastructure is exempt from leasehold excise tax.

The sale of electric vehicle batteries or the installation of electric vehicle infrastructure is exempt from retail sales and use tax.

Alternative Fuels Corridor Pilot Project.

An alternative fuels corridor pilot project is authorized for up to five locations in the state. The Washington State Department of Transportation (WSDOT) may enter into partnership agreements with public and private entities for the use of land and facilities along state routes and within interstate highway rights-of-way.

The pilot project must:

- limit renewable fuel and vehicle technology offerings to those fuels or vehicle technologies with a forecasted demand over the next 15 years that are approved by the WSDOT;
- ensure that the site does not compete with existing retail businesses in the same geographic area for the provision of the same refueling services, recharging technologies, or other retail commercial activities;

- provide existing truck stop operators and truck refueling businesses with a right of first refusal over the offering of refueling services for certain types of trucks within the same geographic area as the pilot project site;
- ensure that any commercial activities at host sites do not materially affect the revenues forecast for vending operations offered by the Department of Services for the Blind; and
- regulate the internal rate of return from the partnership.

The duration of the pilot project is limited to the term of years reasonably necessary for the partnership to recover the cost of capital investments, plus the regulated internal rate of return. The WSDOT is not responsible for providing capital equipment or operating refueling and recharging services.

Votes on Final Passage:

House	71	23	
Senate	35	14	(Senate amended)
House	65	29	(House concurred)

Effective: July 26, 2009