

CERTIFICATION OF ENROLLMENT

SECOND SUBSTITUTE HOUSE BILL 1481

Chapter 459, Laws of 2009

61st Legislature
2009 Regular Session

ELECTRIC VEHICLES

EFFECTIVE DATE: 07/26/09

Passed by the House April 24, 2009
Yeas 65 Nays 29

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 22, 2009
Yeas 35 Nays 14

BRAD OWEN

President of the Senate

Approved May 12, 2009, 2:45 p.m.

CHRISTINE GREGOIRE

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 **SECOND SUBSTITUTE HOUSE BILL 1481** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

May 13, 2009

**Secretary of State
State of Washington**

SECOND SUBSTITUTE HOUSE BILL 1481

AS AMENDED BY THE SENATE

Passed Legislature - 2009 Regular Session

State of Washington 61st Legislature 2009 Regular Session

By House 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)

READ FIRST TIME 03/03/09.

1 AN ACT Relating to electric vehicles; amending RCW 43.19.648;
2 adding a new section to chapter 82.29A RCW; adding a new section to
3 chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a
4 new section to chapter 79.13 RCW; adding a new section to chapter
5 43.21C RCW; adding new sections to chapter 35.63 RCW; adding a new
6 section to chapter 35A.63 RCW; adding a new section to chapter 36.70
7 RCW; adding a new section to chapter 36.70A RCW; adding new sections to
8 chapter 47.38 RCW; adding a new section to chapter 19.27 RCW; adding a
9 new section to chapter 19.28 RCW; creating new sections; and providing
10 expiration dates.

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

12 NEW SECTION. **Sec. 1.** The legislature finds the development of
13 electric vehicle infrastructure to be a critical step in creating jobs,
14 fostering economic growth, reducing greenhouse gas emissions, reducing
15 our reliance on foreign fuels, and reducing the pollution of Puget
16 Sound attributable to the operation of petroleum-based vehicles on
17 streets and highways. Limited driving distance between battery charges
18 is a fundamental disadvantage and obstacle to broad consumer adoption
19 of vehicles powered by electricity. In order to eliminate this

1 fundamental disadvantage and dramatically increase consumer acceptance
2 and usage of electric vehicles, it is essential that an infrastructure
3 of convenient electric vehicle charging opportunities be developed.
4 The purpose of this act is to encourage the transition to electric
5 vehicle use and to expedite the establishment of a convenient, cost-
6 effective, electric vehicle infrastructure that such a transition
7 necessitates. The state's success in encouraging this transition will
8 serve as an economic stimulus to the creation of short-term and long-
9 term jobs as the entire automobile industry and its associated direct
10 and indirect jobs transform over time from combustion to electric
11 vehicles.

12 NEW SECTION. **Sec. 2.** (1) A regional transportation planning
13 organization containing any county with a population in excess of one
14 million in collaboration with representatives from the department of
15 ecology, the department of community, trade, and economic development,
16 local governments, and the office of regulatory assistance must seek
17 federal or private funding for the planning for, deployment of, or
18 regulations concerning electric vehicle infrastructure. These efforts
19 should include:

20 (a) Development of short-term and long-term plans outlining how
21 state, regional, and local government construction may include electric
22 vehicle infrastructure in publicly available off-street parking and
23 government fleet vehicle parking, including what ratios of charge spots
24 to parking may be appropriate based on location or type of facility or
25 building;

26 (b) Consultations with the state building code council and the
27 department of labor and industries to coordinate the plans with state
28 standards for new residential, commercial, and industrial buildings to
29 ensure that the appropriate electric circuitry is installed to support
30 electric vehicle infrastructure;

31 (c) Consultation with the workforce development council and the
32 higher education coordinating board to ensure the development of
33 appropriate educational and training opportunities for citizens of the
34 state in support of the transition of some portion of vehicular
35 transportation from combustion to electric vehicles;

36 (d) Development of an implementation plan for counties with a

1 population greater than five hundred thousand with the goal of having
2 public and private parking spaces, in the aggregate, be ten percent
3 electric vehicle ready by December 31, 2018; and

4 (e) Development of model ordinances and guidance for local
5 governments for siting and installing electric vehicle infrastructure,
6 in particular battery charging stations, and appropriate handling,
7 recycling, and storage of electric vehicle batteries and equipment.

8 (2) These plans and any recommendations developed as a result of
9 the consultations required by this section must be submitted to the
10 legislature by December 31, 2010, or as soon as reasonably practicable
11 after the securing of any federal or private funding. Priority will be
12 given to the activities in subsection (1)(e) of this section and any
13 ordinances or guidance that is developed will be submitted to the
14 legislature, the department of community, trade, and economic
15 development, and affected local governments prior to December 31, 2010,
16 if completed.

17 (3) The definitions in this subsection apply through this section
18 unless the context clearly requires otherwise.

19 (a) "Battery charging station" means an electrical component
20 assembly or cluster of component assemblies designed specifically to
21 charge batteries within electric vehicles, which meet or exceed any
22 standards, codes, and regulations set forth by chapter 19.28 RCW and
23 consistent with rules adopted under section 16 of this act.

24 (b) "Battery exchange station" means a fully automated facility
25 that will enable an electric vehicle with a swappable battery to enter
26 a drive lane and exchange the depleted battery with a fully charged
27 battery through a fully automated process, which meets or exceeds any
28 standards, codes, and regulations set forth by chapter 19.28 RCW and
29 consistent with rules adopted under section 16 of this act.

30 (c) "Electric vehicle infrastructure" means structures, machinery,
31 and equipment necessary and integral to support an electric vehicle,
32 including battery charging stations, rapid charging stations, and
33 battery exchange stations.

34 (d) "Rapid charging station" means an industrial grade electrical
35 outlet that allows for faster recharging of electric vehicle batteries
36 through higher power levels, which meets or exceeds any standards,
37 codes, and regulations set forth by chapter 19.28 RCW and consistent
38 with rules adopted under section 16 of this act.

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 82.29A RCW
2 to read as follows:

3 (1) Leasehold excise tax may not be imposed on leases to tenants of
4 public lands for purposes of installing, maintaining, and operating
5 electric vehicle infrastructure.

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

8 (a) "Battery charging station" means an electrical component
9 assembly or cluster of component assemblies designed specifically to
10 charge batteries within electric vehicles, which meet or exceed any
11 standards, codes, and regulations set forth by chapter 19.28 RCW and
12 consistent with rules adopted under section 16 of this act.

13 (b) "Battery exchange station" means a fully automated facility
14 that will enable an electric vehicle with a swappable battery to enter
15 a drive lane and exchange the depleted battery with a fully charged
16 battery through a fully automated process, which meets or exceeds any
17 standards, codes, and regulations set forth by chapter 19.28 RCW and
18 consistent with rules adopted under section 16 of this act.

19 (c) "Electric vehicle infrastructure" means structures, machinery,
20 and equipment necessary and integral to support an electric vehicle,
21 including battery charging stations, rapid charging stations, and
22 battery exchange stations.

23 (d) "Rapid charging station" means an industrial grade electrical
24 outlet that allows for faster recharging of electric vehicle batteries
25 through higher power levels, which meets or exceeds any standards,
26 codes, and regulations set forth by chapter 19.28 RCW and consistent
27 with rules adopted under section 16 of this act.

28 (3) This section expires January 1, 2020.

29 NEW SECTION. **Sec. 4.** A new section is added to chapter 82.08 RCW
30 to read as follows:

31 (1) The tax imposed by RCW 82.08.020 does not apply to:

32 (a) The sale of batteries for electric vehicles;

33 (b) The sale of or charge made for labor and services rendered in
34 respect to installing, repairing, altering, or improving electric
35 vehicle batteries;

36 (c) The sale of or charge made for labor and services rendered in

1 respect to installing, constructing, repairing, or improving electric
2 vehicle infrastructure; and

3 (d) The sale of tangible personal property that will become a
4 component of electric vehicle infrastructure during the course of
5 installing, constructing, repairing, or improving electric vehicle
6 infrastructure.

7 (2) Sellers may make tax exempt sales under this section only if
8 the buyer provides the seller with an exemption certification in a form
9 and manner prescribed by the department. The seller must retain a copy
10 of the certificate for the seller's files.

11 (3) The definitions in this subsection apply throughout this
12 section unless the context clearly requires otherwise.

13 (a) "Battery charging station" means an electrical component
14 assembly or cluster of component assemblies designed specifically to
15 charge batteries within electric vehicles, which meet or exceed any
16 standards, codes, and regulations set forth by chapter 19.28 RCW and
17 consistent with rules adopted under section 16 of this act.

18 (b) "Battery exchange station" means a fully automated facility
19 that will enable an electric vehicle with a swappable battery to enter
20 a drive lane and exchange the depleted battery with a fully charged
21 battery through a fully automated process, which meets or exceeds any
22 standards, codes, and regulations set forth by chapter 19.28 RCW and
23 consistent with rules adopted under section 16 of this act.

24 (c) "Electric vehicle infrastructure" means structures, machinery,
25 and equipment necessary and integral to support an electric vehicle,
26 including battery charging stations, rapid charging stations, and
27 battery exchange stations.

28 (d) "Rapid charging station" means an industrial grade electrical
29 outlet that allows for faster recharging of electric vehicle batteries
30 through higher power levels, which meets or exceeds any standards,
31 codes, and regulations set forth by chapter 19.28 RCW and consistent
32 with rules adopted under section 16 of this act.

33 (4) This section expires January 1, 2020.

34 NEW SECTION. **Sec. 5.** A new section is added to chapter 82.12 RCW
35 to read as follows:

36 (1) The tax imposed by RCW 82.12.020 does not apply to the use of:

37 (a) Electric vehicle batteries;

1 (b) Labor and services rendered in respect to installing,
2 repairing, altering, or improving electric vehicle batteries; and

3 (c) Tangible personal property that will become a component of
4 electric vehicle infrastructure during the course of installing,
5 constructing, repairing, or improving electric vehicle infrastructure.

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

8 (a) "Battery charging station" means an electrical component
9 assembly or cluster of component assemblies designed specifically to
10 charge batteries within electric vehicles, which meet or exceed any
11 standards, codes, and regulations set forth by chapter 19.28 RCW and
12 consistent with rules adopted under section 16 of this act.

13 (b) "Battery exchange station" means a fully automated facility
14 that will enable an electric vehicle with a swappable battery to enter
15 a drive lane and exchange the depleted battery with a fully charged
16 battery through a fully automated process, which meets or exceeds any
17 standards, codes, and regulations set forth by chapter 19.28 RCW and
18 consistent with rules adopted under section 16 of this act.

19 (c) "Electric vehicle infrastructure" means structures, machinery,
20 and equipment necessary and integral to support an electric vehicle,
21 including battery charging stations, rapid charging stations, and
22 battery exchange stations.

23 (d) "Rapid charging station" means an industrial grade electrical
24 outlet that allows for faster recharging of electric vehicle batteries
25 through higher power levels, which meets or exceeds any standards,
26 codes, and regulations set forth by chapter 19.28 RCW and consistent
27 with rules adopted under section 16 of this act.

28 (3) This section expires January 1, 2020.

29 NEW SECTION. **Sec. 6.** A new section is added to chapter 79.13 RCW
30 under the subchapter heading "general provisions" to read as follows:

31 (1) The state and any local government, including any housing
32 authority, is authorized to lease land owned by such an entity to any
33 person for purposes of installing, maintaining, and operating a battery
34 charging station, a battery exchange station, or a rapid charging
35 station, for a term not in excess of fifty years, for rent of not less
36 than one dollar per year, and with such other terms as the public
37 entity's governing body determines in its sole discretion.

1 (2) The definitions in this subsection apply throughout this
2 section unless the context clearly requires otherwise.

3 (a) "Battery charging station" means an electrical component
4 assembly or cluster of component assemblies designed specifically to
5 charge batteries within electric vehicles, which meet or exceed any
6 standards, codes, and regulations set forth by chapter 19.28 RCW and
7 consistent with rules adopted under section 16 of this act.

8 (b) "Battery exchange station" means a fully automated facility
9 that will enable an electric vehicle with a swappable battery to enter
10 a drive lane and exchange the depleted battery with a fully charged
11 battery through a fully automated process, which meets or exceeds any
12 standards, codes, and regulations set forth by chapter 19.28 RCW and
13 consistent with rules adopted under section 16 of this act.

14 (c) "Electric vehicle infrastructure" means structures, machinery,
15 and equipment necessary and integral to support an electric vehicle,
16 including battery charging stations, rapid charging stations, and
17 battery exchange stations.

18 (d) "Rapid charging station" means an industrial grade electrical
19 outlet that allows for faster recharging of electric vehicle batteries
20 through higher power levels, which meets or exceeds any standards,
21 codes, and regulations set forth by chapter 19.28 RCW and consistent
22 with rules adopted under section 16 of this act.

23 **Sec. 7.** RCW 43.19.648 and 2007 c 348 s 202 are each amended to
24 read as follows:

25 (1) Effective June 1, 2015, all state agencies and local government
26 subdivisions of the state, to the extent determined practicable by the
27 rules adopted by the department of community, trade, and economic
28 development pursuant to RCW 43.325.080, are required to satisfy one
29 hundred percent of their fuel usage for operating publicly owned
30 vessels, vehicles, and construction equipment from electricity or
31 biofuel.

32 (2) In order to phase in this transition for the state, all state
33 agencies, to the extent determined practicable by the department of
34 community, trade, and economic development by rules adopted pursuant to
35 RCW 43.325.080, are required to achieve forty percent fuel usage for
36 operating publicly owned vessels, vehicles, and construction equipment
37 from electricity or biofuel by June 1, 2013. The department of general

1 administration, in consultation with the department of community,
2 trade, and economic development, shall report to the governor and the
3 legislature by December 1, 2013, on what percentage of the state's fuel
4 usage is from electricity or biofuel.

5 (3) Except for cars owned or operated by the Washington state
6 patrol, when tires on vehicles in the state's motor vehicle fleet are
7 replaced, they must be replaced with tires that have the same or better
8 rolling resistance as the original tires.

9 (4) By December 31, 2015, the state must, to the extent
10 practicable, install electrical outlets capable of charging electric
11 vehicles in each of the state's fleet parking and maintenance
12 facilities.

13 (5) The department of transportation's obligations under subsection
14 (2) of this section are subject to the availability of amounts
15 appropriated for the specific purpose identified in subsection (2) of
16 this section.

17 (6) The department of transportation's obligations under subsection
18 (4) of this section are subject to the availability of amounts
19 appropriated for the specific purpose identified in subsection (4) of
20 this section unless the department receives federal or private funds
21 for the specific purpose identified in subsection (4) of this section.

22 (7) The definitions in this subsection apply throughout this
23 section unless the context clearly requires otherwise.

24 (a) "Battery charging station" means an electrical component
25 assembly or cluster of component assemblies designed specifically to
26 charge batteries within electric vehicles, which meet or exceed any
27 standards, codes, and regulations set forth by chapter 19.28 RCW and
28 consistent with rules adopted under section 16 of this act.

29 (b) "Battery exchange station" means a fully automated facility
30 that will enable an electric vehicle with a swappable battery to enter
31 a drive lane and exchange the depleted battery with a fully charged
32 battery through a fully automated process, which meets or exceeds any
33 standards, codes, and regulations set forth by chapter 19.28 RCW and
34 consistent with rules adopted under section 16 of this act.

35 **NEW SECTION. Sec. 8.** A new section is added to chapter 43.21C RCW
36 to read as follows:

37 (1) The installation of individual battery charging stations and

1 battery exchange stations, which individually are categorically exempt
2 under the rules adopted under RCW 43.21C.110, may not be disqualified
3 from such categorically exempt status as a result of their being parts
4 of a larger proposal that includes other such facilities and related
5 utility networks under the rules adopted under RCW 43.21C.110.

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

8 (a) "Battery charging station" means an electrical component
9 assembly or cluster of component assemblies designed specifically to
10 charge batteries within electric vehicles, which meet or exceed any
11 standards, codes, and regulations set forth by chapter 19.28 RCW and
12 consistent with rules adopted under section 16 of this act.

13 (b) "Battery exchange station" means a fully automated facility
14 that will enable an electric vehicle with a swappable battery to enter
15 a drive lane and exchange the depleted battery with a fully charged
16 battery through a fully automated process, which meets or exceeds any
17 standards, codes, and regulations set forth by chapter 19.28 RCW and
18 consistent with rules adopted under section 16 of this act.

19 NEW SECTION. **Sec. 9.** A new section is added to chapter 35.63 RCW
20 to read as follows:

21 (1) By July 1, 2010, the development regulations of any
22 jurisdiction:

23 (a) Adjacent to Interstate 5, Interstate 90, Interstate 405, or
24 state route number 520, with a population over twenty thousand, and
25 located in a county with a population over one million five hundred
26 thousand; or

27 (b) Adjacent to Interstate 5 and located in a county with a
28 population greater than six hundred thousand; or

29 (c) Adjacent to Interstate 5 and located in a county with a state
30 capitol within its borders;

31 planning under this chapter must allow electric vehicle infrastructure
32 as a use in all areas except those zoned for residential or resource
33 use or critical areas. A jurisdiction may adopt and apply other
34 development regulations that do not have the effect of precluding the
35 siting of electric vehicle infrastructure in areas where that use is
36 allowed.

1 (2) By July 1, 2011, or six months after the distribution required
2 under section 18 of this act occurs, whichever is later, the
3 development regulations of any jurisdiction adjacent to Interstate 5,
4 Interstate 90, Interstate 405, or state route number 520 planning under
5 this chapter must allow electric vehicle infrastructure as a use in all
6 areas except those zoned for residential or resource use or critical
7 areas. A jurisdiction may adopt and apply other development
8 regulations that do not have the effect of precluding the siting of
9 electric vehicle infrastructure in areas where that use is allowed.

10 (3) By July 1, 2011, or six months after the distribution required
11 under section 18 of this act occurs, whichever is later, the
12 development regulations of any jurisdiction planning under this chapter
13 must allow battery charging stations as a use in all areas except those
14 zoned for residential or resource use or critical areas. A
15 jurisdiction may adopt and apply other development regulations that do
16 not have the effect of precluding the siting of electric vehicle
17 infrastructure in areas where that use is allowed.

18 (4) Cities are authorized to adopt incentive programs to encourage
19 the retrofitting of existing structures with the electrical outlets
20 capable of charging electric vehicles. Incentives may include bonus
21 height, site coverage, floor area ratio, and transferable development
22 rights for use in urban growth areas.

23 (5) The definitions in this subsection apply throughout this
24 section unless the context clearly requires otherwise.

25 (a) "Battery charging station" means an electrical component
26 assembly or cluster of component assemblies designed specifically to
27 charge batteries within electric vehicles, which meet or exceed any
28 standards, codes, and regulations set forth by chapter 19.28 RCW and
29 consistent with rules adopted under section 16 of this act.

30 (b) "Battery exchange station" means a fully automated facility
31 that will enable an electric vehicle with a swappable battery to enter
32 a drive lane and exchange the depleted battery with a fully charged
33 battery through a fully automated process, which meets or exceeds any
34 standards, codes, and regulations set forth by chapter 19.28 RCW and
35 consistent with rules adopted under section 16 of this act.

36 (c) "Electric vehicle infrastructure" means structures, machinery,
37 and equipment necessary and integral to support an electric vehicle,

1 including battery charging stations, rapid charging stations, and
2 battery exchange stations.

3 (d) "Rapid charging station" means an industrial grade electrical
4 outlet that allows for faster recharging of electric vehicle batteries
5 through higher power levels, which meets or exceeds any standards,
6 codes, and regulations set forth by chapter 19.28 RCW and consistent
7 with rules adopted under section 16 of this act.

8 (6) If federal funding for public investment in electric vehicles,
9 electric vehicle infrastructure, or alternative fuel distribution
10 infrastructure is not provided by February 1, 2010, subsection (1) of
11 this section is null and void.

12 NEW SECTION. **Sec. 10.** A new section is added to chapter 35A.63
13 RCW to read as follows:

14 (1) By July 1, 2010, the development regulations of any
15 jurisdiction:

16 (a) Adjacent to Interstate 5, Interstate 90, Interstate 405, or
17 state route number 520, with a population over twenty thousand, and
18 located in a county with a population over one million five hundred
19 thousand; or

20 (b) Adjacent to Interstate 5 and located in a county with a
21 population greater than six hundred thousand; or

22 (c) Adjacent to Interstate 5 and located in a county with a state
23 capitol within its borders;

24 planning under this chapter must allow electric vehicle infrastructure
25 as a use in all areas except those zoned for residential or resource
26 use or critical areas. A jurisdiction may adopt and apply other
27 development regulations that do not have the effect of precluding the
28 siting of electric vehicle infrastructure in areas where that use is
29 allowed.

30 (2) By July 1, 2011, or six months after the distribution required
31 under section 18 of this act occurs, whichever is later, the
32 development regulations of any jurisdiction adjacent to Interstate 5,
33 Interstate 90, Interstate 405, or state route number 520 planning under
34 this chapter must allow electric vehicle infrastructure as a use in all
35 areas except those zoned for residential or resource use or critical
36 areas. A jurisdiction may adopt and apply other development

1 regulations that do not have the effect of precluding the siting of
2 electric vehicle infrastructure in areas where that use is allowed.

3 (3) By July 1, 2011, or six months after the distribution required
4 under section 18 of this act occurs, whichever is later, the
5 development regulations of any jurisdiction planning under this chapter
6 must allow battery charging stations as a use in all areas except those
7 zoned for residential or resource use or critical areas. A
8 jurisdiction may adopt and apply other development regulations that do
9 not have the effect of precluding the siting of electric vehicle
10 infrastructure in areas where that use is allowed.

11 (4) Cities are authorized to adopt incentive programs to encourage
12 the retrofitting of existing structures with the electrical outlets
13 capable of charging electric vehicles. Incentives may include bonus
14 height, site coverage, floor area ratio, and transferable development
15 rights for use in urban growth areas.

16 (5) The definitions in this subsection apply throughout this
17 section unless the context clearly requires otherwise.

18 (a) "Battery charging station" means an electrical component
19 assembly or cluster of component assemblies designed specifically to
20 charge batteries within electric vehicles, which meet or exceed any
21 standards, codes, and regulations set forth by chapter 19.28 RCW and
22 consistent with rules adopted under section 16 of this act.

23 (b) "Battery exchange station" means a fully automated facility
24 that will enable an electric vehicle with a swappable battery to enter
25 a drive lane and exchange the depleted battery with a fully charged
26 battery through a fully automated process, which meets or exceeds any
27 standards, codes, and regulations set forth by chapter 19.28 RCW and
28 consistent with rules adopted under section 16 of this act.

29 (c) "Electric vehicle infrastructure" means structures, machinery,
30 and equipment necessary and integral to support an electric vehicle,
31 including battery charging stations, rapid charging stations, and
32 battery exchange stations.

33 (d) "Rapid charging station" means an industrial grade electrical
34 outlet that allows for faster recharging of electric vehicle batteries
35 through higher power levels, which meets or exceeds any standards,
36 codes, and regulations set forth by chapter 19.28 RCW and consistent
37 with rules adopted under section 16 of this act.

1 (6) If federal funding for public investment in electric vehicles,
2 electric vehicle infrastructure, or alternative fuel distribution
3 infrastructure is not provided by February 1, 2010, subsection (1) of
4 this section is null and void.

5 NEW SECTION. **Sec. 11.** A new section is added to chapter 36.70 RCW
6 to read as follows:

7 (1) By July 1, 2010, the development regulations of any
8 jurisdiction with a population over six hundred thousand or with a
9 state capitol within its borders planning under this chapter must allow
10 electric vehicle infrastructure as a use in all areas within one mile
11 of Interstate 5, Interstate 90, Interstate 405, or state route number
12 520, except those zoned for residential or resource use or critical
13 areas. A jurisdiction may adopt and apply other development
14 regulations that do not have the effect of precluding the siting of
15 electric vehicle infrastructure in areas where that use is allowed.

16 (2) By July 1, 2011, or six months after the distribution required
17 under section 18 of this act occurs, whichever is later, the
18 development regulations of any jurisdiction planning under this chapter
19 must allow electric vehicle infrastructure as a use in all areas within
20 one mile of Interstate 5, Interstate 90, Interstate 405, or state route
21 number 520, except those zoned for residential or resource use or
22 critical areas. A jurisdiction may adopt and apply other development
23 regulations that do not have the effect of precluding the siting of
24 electric vehicle infrastructure in areas where that use is allowed.

25 (3) By July 1, 2011, or six months after the distribution required
26 under section 18 of this act occurs, whichever is later, the
27 development regulations of any jurisdiction planning under this chapter
28 must allow battery charging stations as a use in all areas except those
29 zoned for residential or resource use or critical areas. A
30 jurisdiction may adopt and apply other development regulations that do
31 not have the effect of precluding the siting of electric vehicle
32 infrastructure in areas where that use is allowed.

33 (4) Counties are authorized to adopt incentive programs to
34 encourage the retrofitting of existing structures with the electrical
35 outlets capable of charging electric vehicles. Incentives may include
36 bonus height, site coverage, floor area ratio, and transferable
37 development rights for use in urban growth areas.

1 (5) The definitions in this subsection apply throughout this
2 section unless the context clearly requires otherwise.

3 (a) "Battery charging station" means an electrical component
4 assembly or cluster of component assemblies designed specifically to
5 charge batteries within electric vehicles, which meet or exceed any
6 standards, codes, and regulations set forth by chapter 19.28 RCW and
7 consistent with rules adopted under section 16 of this act.

8 (b) "Battery exchange station" means a fully automated facility
9 that will enable an electric vehicle with a swappable battery to enter
10 a drive lane and exchange the depleted battery with a fully charged
11 battery through a fully automated process, which meets or exceeds any
12 standards, codes, and regulations set forth by chapter 19.28 RCW and
13 consistent with rules adopted under section 16 of this act.

14 (c) "Electric vehicle infrastructure" means structures, machinery,
15 and equipment necessary and integral to support an electric vehicle,
16 including battery charging stations, rapid charging stations, and
17 battery exchange stations.

18 (d) "Rapid charging station" means an industrial grade electrical
19 outlet that allows for faster recharging of electric vehicle batteries
20 through higher power levels, which meets or exceeds any standards,
21 codes, and regulations set forth by chapter 19.28 RCW and consistent
22 with rules adopted under section 16 of this act.

23 (6) If federal funding for public investment in electric vehicles,
24 electric vehicle infrastructure, or alternative fuel distribution
25 infrastructure is not provided by February 1, 2010, subsection (1) of
26 this section is null and void.

27 NEW SECTION. **Sec. 12.** A new section is added to chapter 36.70A
28 RCW to read as follows:

29 (1) By July 1, 2010, the development regulations of any
30 jurisdiction:

31 (a) Adjacent to Interstate 5, Interstate 90, Interstate 405, or
32 state route number 520, with a population over twenty thousand, and
33 located in a county with a population over one million five hundred
34 thousand; or

35 (b) Adjacent to Interstate 5 and located in a county with a
36 population greater than six hundred thousand; or

1 (c) Adjacent to Interstate 5 and located in a county with a state
2 capitol within its borders;
3 planning under this chapter must allow electric vehicle infrastructure
4 as a use in all areas except those zoned for residential or resource
5 use or critical areas. A jurisdiction may adopt and apply other
6 development regulations that do not have the effect of precluding the
7 siting of electric vehicle infrastructure in areas where that use is
8 allowed.

9 (2) By July 1, 2011, or six months after the distribution required
10 under section 18 of this act occurs, whichever is later, the
11 development regulations of any jurisdiction adjacent to Interstate 5,
12 Interstate 90, Interstate 405, or state route number 520 planning under
13 this chapter must allow electric vehicle infrastructure as a use in all
14 areas except those zoned for residential or resource use or critical
15 areas. A jurisdiction may adopt and apply other development
16 regulations that do not have the effect of precluding the siting of
17 electric vehicle infrastructure in areas where that use is allowed.

18 (3) By July 1, 2011, or six months after the distribution required
19 under section 18 of this act occurs, whichever is later, the
20 development regulations of any jurisdiction planning under this chapter
21 must allow battery charging stations as a use in all areas except those
22 zoned for residential or resource use or critical areas. A
23 jurisdiction may adopt and apply other development regulations that do
24 not have the effect of precluding the siting of electric vehicle
25 infrastructure in areas where that use is allowed.

26 (4) Cities are authorized to adopt incentive programs to encourage
27 the retrofitting of existing structures with the electrical outlets
28 capable of charging electric vehicles. Incentives may include bonus
29 height, site coverage, floor area ratio, and transferable development
30 rights for use in urban growth areas.

31 (5) The definitions in this subsection apply throughout this
32 section unless the context clearly requires otherwise.

33 (a) "Battery charging station" means an electrical component
34 assembly or cluster of component assemblies designed specifically to
35 charge batteries within electric vehicles, which meet or exceed any
36 standards, codes, and regulations set forth by chapter 19.28 RCW and
37 consistent with rules adopted under section 16 of this act.

1 (b) "Battery exchange station" means a fully automated facility
2 that will enable an electric vehicle with a swappable battery to enter
3 a drive lane and exchange the depleted battery with a fully charged
4 battery through a fully automated process, which meets or exceeds any
5 standards, codes, and regulations set forth by chapter 19.28 RCW and
6 consistent with rules adopted under section 16 of this act.

7 (c) "Electric vehicle infrastructure" means structures, machinery,
8 and equipment necessary and integral to support an electric vehicle,
9 including battery charging stations, rapid charging stations, and
10 battery exchange stations.

11 (d) "Rapid charging station" means an industrial grade electrical
12 outlet that allows for faster recharging of electric vehicle batteries
13 through higher power levels, which meets or exceeds any standards,
14 codes, and regulations set forth by chapter 19.28 RCW and consistent
15 with rules adopted under section 16 of this act.

16 (6) If federal funding for public investment in electric vehicles,
17 electric vehicle infrastructure, or alternative fuel distribution
18 infrastructure is not provided by February 1, 2010, subsection (1) of
19 this section is null and void.

20 NEW SECTION. **Sec. 13.** A new section is added to chapter 35.63 RCW
21 to read as follows:

22 (1) By July 1, 2010, the development regulations of any
23 jurisdiction with a population over six hundred thousand or with a
24 state capitol within its borders planning under this chapter must allow
25 electric vehicle infrastructure as a use in all areas within one mile
26 of Interstate 5, Interstate 90, Interstate 405, or state route number
27 520, except those zoned for residential or resource use or critical
28 areas. A jurisdiction may adopt and apply other development
29 regulations that do not have the effect of precluding the siting of
30 electric vehicle infrastructure in areas where that use is allowed.

31 (2) By July 1, 2011, or six months after the distribution required
32 under section 18 of this act occurs, whichever is later, the
33 development regulations of any jurisdiction adjacent to Interstate 5,
34 Interstate 90, Interstate 405, or state route number 520 planning under
35 this chapter must allow electric vehicle infrastructure as a use in all
36 areas except those zoned for residential or resource use or critical

1 areas. A jurisdiction may adopt and apply other development
2 regulations that do not have the effect of precluding the siting of
3 electric vehicle infrastructure in areas where that use is allowed.

4 (3) By July 1, 2011, or six months after the distribution required
5 under section 18 of this act occurs, whichever is later, the
6 development regulations of any jurisdiction planning under this chapter
7 must allow battery charging stations as a use in all areas except those
8 zoned for residential or resource use or critical areas. A
9 jurisdiction may adopt and apply other development regulations that do
10 not have the effect of precluding the siting of electric vehicle
11 infrastructure in areas where that use is allowed.

12 (4) Counties are authorized to adopt incentive programs to
13 encourage the retrofitting of existing structures with the electrical
14 outlets capable of charging electric vehicles. Incentives may include
15 bonus height, site coverage, floor area ratio, and transferable
16 development rights for use in urban growth areas.

17 (5) The definitions in this subsection apply throughout this
18 section unless the context clearly requires otherwise.

19 (a) "Battery charging station" means an electrical component
20 assembly or cluster of component assemblies designed specifically to
21 charge batteries within electric vehicles, which meet or exceed any
22 standards, codes, and regulations set forth by chapter 19.28 RCW and
23 consistent with rules adopted under section 16 of this act.

24 (b) "Battery exchange station" means a fully automated facility
25 that will enable an electric vehicle with a swappable battery to enter
26 a drive lane and exchange the depleted battery with a fully charged
27 battery through a fully automated process, which meets or exceeds any
28 standards, codes, and regulations set forth by chapter 19.28 RCW and
29 consistent with rules adopted under section 16 of this act.

30 (c) "Electric vehicle infrastructure" means structures, machinery,
31 and equipment necessary and integral to support an electric vehicle,
32 including battery charging stations, rapid charging stations, and
33 battery exchange stations.

34 (d) "Rapid charging station" means an industrial grade electrical
35 outlet that allows for faster recharging of electric vehicle batteries
36 through higher power levels, which meets or exceeds any standards,
37 codes, and regulations set forth by chapter 19.28 RCW and consistent
38 with rules adopted under section 16 of this act.

1 (6) If federal funding for public investment in electric vehicles,
2 electric vehicle infrastructure, or alternative fuel distribution
3 infrastructure is not provided by February 1, 2010, subsection (1) of
4 this section is null and void.

5 NEW SECTION. **Sec. 14.** A new section is added to chapter 47.38 RCW
6 to read as follows:

7 (1) As a necessary and desirable step to spur public and private
8 investment in electric vehicle infrastructure in accordance with
9 section 1 of this act, and to begin implementing the provisions of RCW
10 43.19.648, the legislature authorizes an alternative fuels corridor
11 pilot project capable of supporting electric vehicle charging and
12 battery exchange technologies.

13 (2) To the extent permitted under federal programs, rules, or law,
14 the department may enter into partnership agreements with other public
15 and private entities for the use of land and facilities along state
16 routes and within interstate highway rights-of-way for an alternative
17 fuels corridor pilot project. At a minimum, the pilot project must:

18 (a) Limit renewable fuel and vehicle technology offerings to those
19 with a forecasted demand over the next fifteen years and approved by
20 the department;

21 (b) Ensure that a pilot project site does not compete with existing
22 retail businesses in the same geographic area for the provision of the
23 same refueling services, recharging technologies, or other retail
24 commercial activities;

25 (c) Provide existing truck stop operators and retail truck
26 refueling businesses with an absolute right of first refusal over the
27 offering of refueling services to class six trucks with a maximum gross
28 vehicle weight of twenty-six thousand pounds within the same geographic
29 area identified for a possible pilot project site;

30 (d) Reach agreement with the department of services for the blind
31 ensuring that any activities at host sites do not materially affect the
32 revenues forecasted from their vending operations at each site;

33 (e) Regulate the internal rate of return from the partnership,
34 including provisions to reduce or eliminate the level of state support
35 once the partnership attains economic self-sufficiency;

36 (f) Be limited to not more than five locations on state-owned land

1 within federal interstate rights-of-way or state highway rights-of-way
2 in Washington; and

3 (g) Be limited in duration to a term of years reasonably necessary
4 for the partnership to recover the cost of capital investments, plus
5 the regulated internal rate of return.

6 (3) The department is not responsible for providing capital
7 equipment nor operating refueling or recharging services. The
8 department must provide periodic status reports on the pilot project to
9 the office of financial management and the relevant standing committees
10 of the legislature not less than every biennium.

11 (4) The provisions of this section are subject to the availability
12 of existing funds. However, capital improvements under this section
13 must be funded with federal or private funds.

14 NEW SECTION. **Sec. 15.** A new section is added to chapter 47.38 RCW
15 to read as follows:

16 (1) By December 31, 2015, the state must, to the extent
17 practicable, install electrical outlets capable of charging electric
18 vehicles in each state-operated highway rest stop.

19 (2) By December 31, 2015, the state must provide the opportunity to
20 lease space for the limited purpose of installing and operating a
21 battery exchange station or a battery charging station in appropriate
22 state-owned highway rest stops.

23 (3) The department of transportation's obligations under this
24 section are subject to the availability of amounts appropriated for the
25 specific purpose identified in this section, unless the department
26 receives federal or private funds for the specific purpose identified
27 in this section.

28 (4) The definitions in this subsection apply throughout this
29 section unless the context clearly requires otherwise.

30 (a) "Battery charging station" means an electrical component
31 assembly or cluster of component assemblies designed specifically to
32 charge batteries within electric vehicles, which meet or exceed any
33 standards, codes, and regulations set forth by chapter 19.28 RCW and
34 consistent with rules adopted under section 16 of this act.

35 (b) "Battery exchange station" means a fully automated facility
36 that will enable an electric vehicle with a swappable battery to enter
37 a drive lane and exchange the depleted battery with a fully charged

1 battery through a fully automated process, which meets or exceeds any
2 standards, codes, and regulations set forth by chapter 19.28 RCW and
3 consistent with rules adopted under section 16 of this act.

4 NEW SECTION. **Sec. 16.** A new section is added to chapter 19.27 RCW
5 to read as follows:

6 The building code council shall adopt rules for electric vehicle
7 infrastructure requirements. Rules adopted by the state building code
8 council must consider applicable national and international standards
9 and be consistent with rules adopted under section 17 of this act.

10 NEW SECTION. **Sec. 17.** A new section is added to chapter 19.28 RCW
11 to read as follows:

12 The director shall adopt by rule standards for the installation of
13 electric vehicle infrastructure, including all wires and equipment that
14 convey electric current and any equipment to be operated by electric
15 current, in, on, or about buildings or structures. The rules must be
16 consistent with rules adopted under section 16 of this act.

17 NEW SECTION. **Sec. 18.** The department of community, trade, and
18 economic development must distribute to local governments model
19 ordinances, model development regulations, and guidance for local
20 governments for siting and installing electric vehicle infrastructure,
21 and in particular battery charging stations, and appropriate handling,
22 recycling, and storage of electric vehicle batteries and equipment,
23 when available. The model ordinances, model development regulations,
24 and guidance must be developed by a federal or state agency, or
25 nationally recognized organizations with specific expertise in land-use
26 regulations or electric vehicle infrastructure.

Passed by the House April 24, 2009.

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