

FINAL BILL REPORT

ESB 5099

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Synopsis as Enacted

Brief Description: Concerning fuel usage of publicly owned vehicles, vessels, and construction equipment.

Sponsors: Senator Rivers.

Senate Committee on Governmental Operations
House Committee on Environment

Background: By the year 2015, all state agencies must satisfy 100 percent of their fuel needs for all vessels, vehicles, and construction equipment from electricity or biofuels. By June 1, 2010, the Department of Commerce (Commerce) must adopt rules to address criteria and a phase-in schedule for state agencies and local government subdivisions of the state to convert their fleet to electricity and biofuels. Compressed natural gas, liquefied natural gas, or propane may be substituted for electricity or biofuel if Commerce determines that electricity and biofuel are not reasonably available.

By the year 2018, cities and counties must satisfy 100 percent of their fuel needs for all vessels, vehicles, and construction equipment from electricity or biofuels. By June 1, 2015, Commerce must adopt rules to address criteria and a phase-in schedule for cities and counties to convert their fleet to electricity and biofuels. Transit agencies using compressed natural gas on June 1, 2018, are exempt from this requirement.

In order to phase in this requirement, state agencies and local governments, to the extent practicable as determined by Commerce, must achieve 40 percent fuel usage using electricity or biofuel for publicly owned vessels, vehicles, and construction equipment by June 1, 2013.

Summary: Commerce must convene an advisory committee of representatives of local government subdivisions, representatives from organizations representing each local government subdivision, and a representative from either an electric utility or a natural gas utility to work with Commerce to develop the rules. Commerce may invite additional stakeholders to participate in the advisory committee as needed.

The rules adopted by Commerce must include the authority for local government subdivisions to elect to exempt police, fire, and other emergency response vehicles, including utility vehicles used for emergency response, from the fuel usage requirement. If a local government subdivision elects to exempt emergency response vehicles, a local government

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subdivision must provide notice to Commerce. The notice must include the rationale for the exemption and an explanation of how the exemption is consistent with the rules adopted by Commerce.

Engine retrofits that would void warranties are exempt from the requirement that, by the year 2018, cities and counties satisfy 100 percent of their fuel needs for all vessels, vehicles, and construction equipment from electricity or biofuels. Additionally, compliance with this requirement is not intended to require replacement of equipment before the end of its useful life.

A local government subdivision purchasing vessels, vehicles, and construction equipment using biodiesel must request warranty protection for the highest level of biodiesel that can be used, up to 100 percent biodiesel, as long as the costs are reasonably equal to a vessel, vehicle, or construction equipment item that is not warranted to use up to 100 percent biodiesel.

Votes on Final Passage:

Senate	46	2	
House	96	1	(House amended)
Senate	45	2	(Senate concurred)

Effective: July 28, 2013.