
SUBSTITUTE HOUSE BILL 1929

State of Washington

64th Legislature

2015 Regular Session

By House Local Government (originally sponsored by Representatives Fitzgibbon, Stanford, and McBride; by request of Governor Inslee)

READ FIRST TIME 02/20/15.

1 AN ACT Relating to requiring incentives for electric vehicle
2 readiness in buildings; amending RCW 35.63.126, 35A.63.107, and
3 36.70A.695; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that the
6 development of electric vehicle infrastructure is a critical step in
7 creating jobs, fostering economic growth, reducing greenhouse gas
8 emissions, and spurring electric vehicle usage across the state.

9 (2) Limited driving distance between battery charges is a
10 fundamental disadvantage and obstacle to broad consumer adoption of
11 vehicles powered by electricity. To eliminate this disadvantage and
12 dramatically increase consumer usage of electric vehicles, it is
13 essential that an infrastructure of convenient electric vehicle
14 charging opportunities be developed.

15 (3) The legislature, therefore, intends to encourage the
16 transition from vehicles powered by petroleum-based fuels to vehicles
17 powered by electricity by expediting the establishment of a
18 convenient, cost-effective electric vehicle infrastructure.

19 **Sec. 2.** RCW 35.63.126 and 2009 c 459 s 9 are each amended to
20 read as follows:

1 (1) ~~((By July 1, 2010, the development regulations of any~~
2 ~~jurisdiction:~~

3 ~~(a) Adjacent to Interstate 5, Interstate 90, Interstate 405, or~~
4 ~~state route number 520, with a population over twenty thousand, and~~
5 ~~located in a county with a population over one million five hundred~~
6 ~~thousand; or~~

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

9 ~~(c) Adjacent to Interstate 5 and located in a county with a state~~
10 ~~capitol within its borders;~~

11 ~~planning under this chapter must allow electric vehicle~~
12 ~~infrastructure as a use in all areas except those zoned for~~
13 ~~residential or resource use or critical areas. A jurisdiction may~~
14 ~~adopt and apply other development regulations that do not have the~~
15 ~~effect of precluding the siting of electric vehicle infrastructure in~~
16 ~~areas where that use is allowed.~~

17 ~~(2) By July 1, 2011, or six months after the distribution~~
18 ~~required under RCW 43.31.970 occurs, whichever is later,))~~ (a) Except
19 as provided otherwise by (b) of this subsection the development
20 regulations of any ~~((jurisdiction))~~ city adjacent to Interstate 5,
21 Interstate 90, Interstate 405, or state route number 520 planning
22 under this chapter must allow electric vehicle infrastructure as a
23 use in all areas ~~((except those zoned for residential or resource use~~
24 ~~or critical areas. A jurisdiction may adopt and apply other~~
25 ~~development regulations that do not have the effect of precluding the~~
26 ~~siting of electric vehicle infrastructure in areas where that use is~~
27 ~~allowed)).~~

28 (b) (a) of this subsection does not apply to natural resource
29 lands and critical areas designated in accordance with RCW
30 36.70A.170.

31 (c) A city may adopt and apply other development regulations in
32 accordance with this chapter that do not have the effect of
33 precluding the siting of electric vehicle infrastructure in areas
34 where that use is allowed.

35 ~~((3) By July 1, 2011, or six months after the distribution~~
36 ~~required under RCW 43.31.970 occurs, whichever is later))~~ (2)(a)
37 Except as provided by (b) of this subsection, the development
38 regulations of any ~~((jurisdiction))~~ city planning under this chapter
39 must allow battery charging stations as a use in all areas ~~((except~~
40 ~~those zoned for residential or resource use or critical areas)).~~

1 (b) (a) of this subsection does not apply to natural resource
2 lands and critical areas designated in accordance with RCW
3 36.70A.170.

4 (c) A ((jurisdiction)) city may adopt and apply other development
5 regulations in accordance with this chapter that do not have the
6 effect of precluding the siting of ((electric—vehicle
7 infrastructure)) battery charging stations in areas where that use is
8 allowed.

9 ((+4)) (3) Cities ((are authorized to)) must adopt incentive
10 programs to encourage the fitting of new structures and the
11 retrofitting of existing structures with the rapid charging station
12 electrical outlets capable of charging electric vehicles. Incentives
13 may include bonus height, site coverage, floor area ratio, and
14 transferable development rights for use in urban growth areas.

15 ((+5)) (4) The definitions in this subsection apply throughout
16 this section unless the context clearly requires otherwise.

17 (a) "Battery charging station" means an electrical component
18 assembly or cluster of component assemblies designed specifically to
19 charge batteries within electric vehicles, which meet or exceed any
20 standards, codes, and regulations set forth by chapter 19.28 RCW and
21 consistent with rules adopted under RCW 19.27.540.

22 (b) "Battery exchange station" means a fully automated facility
23 that will enable an electric vehicle with a swappable battery to
24 enter a drive lane and exchange the depleted battery with a fully
25 charged battery through a fully automated process, which meets or
26 exceeds any standards, codes, and regulations set forth by chapter
27 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

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

32 (d) "Rapid charging station" means an industrial grade electrical
33 outlet that allows for faster recharging of electric vehicle
34 batteries through higher power levels, which meets or exceeds any
35 standards, codes, and regulations set forth by chapter 19.28 RCW and
36 consistent with rules adopted under RCW 19.27.540.

37 ~~((+6) If federal funding for public investment in electric~~
38 ~~vehicles, electric vehicle infrastructure, or alternative fuel~~
39 ~~distribution infrastructure is not provided by February 1, 2010,~~
40 ~~subsection (1) of this section is null and void.))~~

1 **Sec. 3.** RCW 35A.63.107 and 2009 c 459 s 10 are each amended to
2 read as follows:

3 (1) ~~((By July 1, 2010, the development regulations of any~~
4 ~~jurisdiction:~~

5 ~~(a) Adjacent to Interstate 5, Interstate 90, Interstate 405, or~~
6 ~~state route number 520, with a population over twenty thousand, and~~
7 ~~located in a county with a population over one million five hundred~~
8 ~~thousand; or~~

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

11 ~~(c) Adjacent to Interstate 5 and located in a county with a state~~
12 ~~capitol within its borders;~~

13 ~~planning under this chapter must allow electric vehicle~~
14 ~~infrastructure as a use in all areas except those zoned for~~
15 ~~residential or resource use or critical areas. A jurisdiction may~~
16 ~~adopt and apply other development regulations that do not have the~~
17 ~~effect of precluding the siting of electric vehicle infrastructure in~~
18 ~~areas where that use is allowed.~~

19 ~~(2) By July 1, 2011, or six months after the distribution~~
20 ~~required under RCW 43.31.970 occurs, whichever is later)) (a) Except~~
21 ~~as provided otherwise by (b) of this subsection, the development~~
22 ~~regulations of any ((jurisdiction)) city adjacent to Interstate 5,~~
23 ~~Interstate 90, Interstate 405, or state route number 520 planning~~
24 ~~under this chapter must allow electric vehicle infrastructure as a~~
25 ~~use in all areas ((except those zoned for residential or resource use~~
26 ~~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 (b) (a) of this subsection does not apply to natural resource
31 lands and critical areas designated in accordance with RCW
32 36.70A.170.

33 (c) A city may adopt and apply other development regulations in
34 accordance with this chapter that do not have the effect of
35 precluding the siting of electric vehicle infrastructure in areas
36 where that use is allowed.

37 ~~((3) By July 1, 2011, or six months after the distribution~~
38 ~~required under RCW 43.31.970 occurs, whichever is later)) (2)(a)~~
39 Except as provided by (b) of this subsection, the development
40 regulations of any ((jurisdiction)) city planning under this chapter

1 must allow battery charging stations as a use in all areas (~~except~~
2 ~~those zoned for residential or resource use or critical areas~~)).

3 (b) (a) of this subsection does not apply to natural resource
4 lands and critical areas designated in accordance with RCW
5 36.70A.170.

6 (c) A (~~jurisdiction~~) city may adopt and apply other development
7 regulations in accordance with this chapter that do not have the
8 effect of precluding the siting of (~~electric vehicle~~
9 ~~infrastructure~~) battery charging stations in areas where that use is
10 allowed.

11 ~~((4))~~ (3) Cities (~~are authorized to~~) must adopt incentive
12 programs to encourage the fitting of new structures and the
13 retrofitting of existing structures with the rapid charging station
14 electrical outlets capable of charging electric vehicles. Incentives
15 may include bonus height, site coverage, floor area ratio, and
16 transferable development rights for use in urban growth areas.

17 ~~((5))~~ (4) The definitions in this subsection apply throughout
18 this 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 RCW 19.27.540.

24 (b) "Battery exchange station" means a fully automated facility
25 that will enable an electric vehicle with a swappable battery to
26 enter a drive lane and exchange the depleted battery with a fully
27 charged battery through a fully automated process, which meets or
28 exceeds any standards, codes, and regulations set forth by chapter
29 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

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

34 (d) "Rapid charging station" means an industrial grade electrical
35 outlet that allows for faster recharging of electric vehicle
36 batteries through higher power levels, which meets or exceeds any
37 standards, codes, and regulations set forth by chapter 19.28 RCW and
38 consistent with rules adopted under RCW 19.27.540.

39 ~~((6) If federal funding for public investment in electric~~
40 ~~vehicles, electric vehicle infrastructure, or alternative fuel~~

1 ~~distribution infrastructure is not provided by February 1, 2010,~~
2 ~~subsection (1) of this section is null and void.))~~

3 **Sec. 4.** RCW 36.70A.695 and 2009 c 459 s 12 are each amended to
4 read as follows:

5 (1) ~~((By July 1, 2010, the development regulations of any~~
6 ~~jurisdiction:~~

7 ~~(a) Adjacent to Interstate 5, Interstate 90, Interstate 405, or~~
8 ~~state route number 520, with a population over twenty thousand, and~~
9 ~~located in a county with a population over one million five hundred~~
10 ~~thousand; or~~

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

13 ~~(c) Adjacent to Interstate 5 and located in a county with a state~~
14 ~~capitol within its borders;~~

15 ~~planning under this chapter must allow electric vehicle~~
16 ~~infrastructure as a use in all areas except those zoned for~~
17 ~~residential or resource use or critical areas. A jurisdiction may~~
18 ~~adopt and apply other development regulations that do not have the~~
19 ~~effect of precluding the siting of electric vehicle infrastructure in~~
20 ~~areas where that use is allowed.~~

21 (2) ~~By July 1, 2011, or six months after the distribution~~
22 ~~required under RCW 43.31.970 occurs, whichever is later))~~ (a) Except
23 as provided otherwise by (b) of this subsection, the development
24 regulations of any ~~((jurisdiction))~~ city or county adjacent to
25 Interstate 5, Interstate 90, Interstate 405, or state route number
26 520 planning under ~~((this chapter))~~ RCW 36.70A.040 must allow
27 electric vehicle infrastructure as a use in all areas ~~((except those~~
28 ~~zoned for residential or resource use or critical areas. A~~
29 ~~jurisdiction may adopt and apply other development regulations that~~
30 ~~do not have the effect of precluding the siting of electric vehicle~~
31 ~~infrastructure in areas where that use is allowed)).~~

32 (b) (a) of this subsection does not apply to natural resource
33 lands and critical areas designated in accordance with RCW
34 36.70A.170.

35 (c) A city or county may adopt and apply other development
36 regulations in accordance with this chapter that do not have the
37 effect of precluding the siting of electric vehicle infrastructure in
38 areas where that use is allowed.

1 ~~((3) By July 1, 2011, or six months after the distribution~~
2 ~~required under RCW 43.31.970 occurs, whichever is later))~~ (2)(a)
3 Except as provided by (b) of this subsection, the development
4 regulations of any ~~((jurisdiction))~~ city or county planning under
5 ~~((this chapter))~~ RCW 36.70A.040 must allow battery charging stations
6 as a use in all areas ~~((except those zoned for residential or~~
7 ~~resource use or critical areas))~~.

8 (b) (a) of this subsection does not apply to natural resource
9 lands and critical areas designated in accordance with RCW
10 36.70A.170.

11 (c) A ~~((jurisdiction))~~ city or county may adopt and apply other
12 development regulations in accordance with this chapter that do not
13 have the effect of precluding the siting of ~~((electric vehicle~~
14 ~~infrastructure))~~ battery charging stations in areas where that use is
15 allowed.

16 ~~((4))~~ (3) Cities ~~((are authorized to))~~ must adopt incentive
17 programs to encourage the fitting of new structures and the
18 retrofitting of existing structures with the rapid charging station
19 electrical outlets capable of charging electric vehicles. Incentives
20 may include bonus height, site coverage, floor area ratio, and
21 transferable development rights for use in urban growth areas.

22 ~~((5))~~ (4) The definitions in this subsection apply throughout
23 this 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 RCW 19.27.540.

29 (b) "Battery exchange station" means a fully automated facility
30 that will enable an electric vehicle with a swappable battery to
31 enter a drive lane and exchange the depleted battery with a fully
32 charged battery through a fully automated process, which meets or
33 exceeds any standards, codes, and regulations set forth by chapter
34 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

35 (c) "Electric vehicle infrastructure" means structures,
36 machinery, and equipment necessary and integral to support an
37 electric vehicle, including battery charging stations, rapid charging
38 stations, and battery exchange stations.

39 (d) "Rapid charging station" means an industrial grade electrical
40 outlet that allows for faster recharging of electric vehicle

1 batteries through higher power levels, which meets or exceeds any
2 standards, codes, and regulations set forth by chapter 19.28 RCW and
3 consistent with rules adopted under RCW 19.27.540.

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

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