

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 5099

63rd Legislature
2013 Regular Session

Passed by the Senate April 23, 2013
YEAS 45 NAYS 2

President of the Senate

Passed by the House April 17, 2013
YEAS 96 NAYS 1

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 5099** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

ENGROSSED SENATE BILL 5099

AS AMENDED BY THE HOUSE

Passed Legislature - 2013 Regular Session

State of Washington 63rd Legislature 2013 Regular Session

By Senator Rivers

Read first time 01/18/13. Referred to Committee on Governmental Operations.

1 AN ACT Relating to fuel usage of publicly owned vehicles, vessels,
2 and construction equipment; and amending RCW 43.19.648.

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

4 **Sec. 1.** RCW 43.19.648 and 2012 c 171 s 1 are each amended to read
5 as follows:

6 (1) Effective June 1, 2015, all state agencies, to the extent
7 determined practicable by the rules adopted by the department of
8 commerce pursuant to RCW 43.325.080, are required to satisfy one
9 hundred percent of their fuel usage for operating publicly owned
10 vessels, vehicles, and construction equipment from electricity or
11 biofuel. Compressed natural gas, liquefied natural gas, or propane may
12 be substituted for electricity or biofuel if the department of commerce
13 determines that electricity and biofuel are not reasonably available.

14 (2)(a) Effective June 1, 2018, all local government subdivisions of
15 the state, to the extent determined practicable by the rules adopted by
16 the department of commerce pursuant to RCW 43.325.080, are required to
17 satisfy one hundred percent of their fuel usage for operating publicly
18 owned vessels, vehicles, and construction equipment from electricity or
19 biofuel. The department of commerce shall convene an advisory

1 committee of representatives of local government subdivisions,
2 representatives from organizations representing each local government
3 subdivision, and either (i) an electric utility or (ii) a natural gas
4 utility, or both, to work with the department to develop the rules.
5 The department may invite additional stakeholders to participate in the
6 advisory committee as needed and determined by the department.

7 (b) The following are exempt from this requirement: (i) Transit
8 agencies using compressed natural gas on June 1, 2018(~~, are exempt~~
9 from this requirement)), and (ii) engine retrofits that would void
10 warranties. Nothing in this section is intended to require the
11 replacement of equipment before the end of its useful life. Compressed
12 natural gas, liquefied natural gas, or propane may be substituted for
13 electricity or biofuel if the department of commerce determines that
14 electricity and biofuel are not reasonably available.

15 (c)(i) Rules adopted pursuant to RCW 43.325.080 must provide the
16 authority for local government subdivisions to elect to exempt police,
17 fire, and other emergency response vehicles, including utility vehicles
18 frequently used for emergency response, from the fuel usage requirement
19 in (a) of this subsection.

20 (ii) Prior to executing its authority under (c)(i) of this
21 subsection, a local government subdivision must provide notice to the
22 department of commerce of the exemption. The notice must include the
23 rationale for the exemption and an explanation of how the exemption is
24 consistent with rules adopted by the department of commerce.

25 (d) Before June 1, 2018, local government subdivisions purchasing
26 vessels, vehicles, and construction equipment capable of using
27 biodiesel must request warranty protection for the highest level of
28 biodiesel the vessel, vehicle, or construction equipment is capable of
29 using, up to one hundred percent biodiesel, as long as the costs are
30 reasonably equal to a vessel, vehicle, or construction equipment that
31 is not warranted to use up to one hundred percent biodiesel.

32 (3) In order to phase in this transition for the state, all state
33 agencies, to the extent determined practicable by the department of
34 commerce by rules adopted pursuant to RCW 43.325.080, are required to
35 achieve forty percent fuel usage for operating publicly owned vessels,
36 vehicles, and construction equipment from electricity or biofuel by
37 June 1, 2013. Compressed natural gas, liquefied natural gas, or
38 propane may be substituted for electricity or biofuel if the department

1 of commerce determines that electricity and biofuel are not reasonably
2 available. The department of enterprise services, in consultation with
3 the department of commerce, shall report to the governor and the
4 legislature by December 1, 2013, on what percentage of the state's fuel
5 usage is from electricity or biofuel.

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

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

14 (6) The department of transportation's obligations under subsection
15 (3) of this section are subject to the availability of amounts
16 appropriated for the specific purpose identified in subsection (3) of
17 this section.

18 (7) The department of transportation's obligations under subsection
19 (5) of this section are subject to the availability of amounts
20 appropriated for the specific purpose identified in subsection (5) of
21 this section unless the department receives federal or private funds
22 for the specific purpose identified in subsection (5) of this section.

23 (8) 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 RCW 19.27.540.

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 RCW 19.27.540.

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