S-4705.2

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**SUBSTITUTE SENATE BILL 6304**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Senate Transportation (originally sponsored by Senators Liias, Nguyen, and Kuderer)

AN ACT Relating to implementing certain recommendations of the transportation electrification strategy; amending RCW 43.31.970, 47.01.520, 35.92.450, 54.16.430, 80.28.360, and 46.37.423; reenacting and amending RCW 43.84.092, 43.84.092, and 43.84.092; adding a new section to chapter 46.37 RCW; adding a new section to chapter 70A.350 RCW; adding a new section to chapter 28A.160 RCW; adding a new section to chapter 43.01 RCW; adding a new chapter to Title 19 RCW; adding a new chapter to Title 70A RCW; creating a new section; prescribing penalties; providing effective dates; and providing expiration dates.

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

**PART I**

**ELECTRIC VEHICLE SUPPLY EQUIPMENT INSTALLATION, INFORMATION, AND RELIABILITY**

**Sec.**  RCW 43.31.970 and 2023 c 470 s 2046 are each amended to read as follows:

The department of commerce must ((~~distribute~~)):

(1) Coordinate with the interagency electric vehicle coordinating council, state and local agencies, climate and environmental justice organizations, consumer and ratepayer advocates, industry representatives, labor representatives, consumer-owned electric utilities, investor-owned electric utilities, and building owners and operators to implement this section;

(2) Develop recommended legislative language, delivered to the legislature, on:

(a) Maximum timelines for electric vehicle supply equipment project permitting and interconnection;

(b) Necessary reporting requirements for electric utilities on transportation electrification efforts;

(c) Requirements for consumer information on electric vehicle supply equipment;

(d) Extending right-to-charge policies to tenants and homeowners outside of common interest communities;

(e) Reliability standards for both publicly funded and publicly available electric vehicle supply equipment; and

(f) Other policies to implement recommendations on improving electric vehicle supply equipment availability and use in the transportation electrification strategy under RCW 43.392.040;

(3) Develop a comprehensive and publicly available inventory of all electric vehicle supply equipment in Washington by December 31, 2025.

(a) The department must develop reporting requirements for electric vehicle supply equipment providers, owners, and operators or any other entities necessary to develop the inventory in this subsection.

(b) For publicly available or shared use electric vehicle supply equipment, the department must require entities to report reliability data as determined by the department.

(c) The department must adopt rules to determine necessary information and a reporting process for collecting data for the inventory;

(4) Distribute to local governments model ordinances, model development regulations, and guidance for local governments for siting and installing electric vehicle infrastructure((~~, and in particular battery charging stations, and appropriate handling, recycling, and storage of electric vehicle batteries and equipment, when available~~)) by December 31, 2025, and every five years thereafter. The model ordinances, model development regulations, and guidance must be developed by a federal or state agency, or nationally recognized organizations with specific expertise in land-use regulations or electric vehicle infrastructure.

**Sec.**  RCW 47.01.520 and 2021 c 300 s 2 are each amended to read as follows:

(1) The department, through the department's public-private partnership office and in consultation with the department of ecology, the department of commerce, and the office of equity, must develop and maintain a publicly available mapping and forecasting tool that provides locations and essential information of charging and refueling infrastructure to support forecasted levels of electric vehicle adoption, travel, and usage across Washington state.

(2)(a) The publicly available mapping and forecasting tool must be designed to enable coordinated, effective, efficient, and timely deployment of charging and refueling infrastructure necessary to support statewide and local transportation electrification efforts that result in emissions reductions consistent with RCW 70A.45.020.

(b) The tool must:

(i) Initially prioritize on-road transportation;

(ii) ((~~To the greatest extent possible, maintain~~)) Incorporate the latest data on public and shared use charging from the inventory of electric vehicle supply equipment as specified in RCW 43.31.970;

(iii) ((~~Model charging and~~)) Use electric vehicle supply equipment estimates as identified in the transportation electrification strategy under RCW 43.392.040 and model hydrogen refueling infrastructure that may be used by owners and operators of light, medium, and heavy duty vehicles; and

(iv) Incorporate the department's traffic data for passenger and freight vehicles.

(c) The tool must, if feasible:

(i) Provide the data necessary to support programs by state agencies that directly or indirectly support transportation electrification efforts;

(ii) Evolve over time to support future transportation electrification programs;

(iii) Provide data at a scale that supports electric utility planning for the impacts of transportation electrification both systemwide and on specific components of the distribution system; and

(iv) ((~~Forecast~~)) Use statewide zero emissions vehicle ((~~use that would achieve the emissions reductions consistent with RCW 70A.45.020~~)) estimates from the transportation electrification strategy under RCW 43.392.040. The department may reference ((~~existing~~)) zero emissions vehicle use forecasts that update the transportation electrification strategy estimates, such as that established in the state energy strategy.

(3) The department, in consultation with the department of commerce, the department of ecology, and the office of equity, may elect to include other transportation charging and refueling infrastructure, such as maritime, public transportation, and aviation in the mapping and forecasting tool.

(4) The tool must include, to the extent feasible, the following elements:

(a) The amount, type, location, and year of installation for electric vehicle supply equipment that is expected to be necessary to support forecasted electric vehicle penetration and usage within the state;

(b) Electric vehicle adoption, usage, technological profiles, and any other characteristics necessary to model future electric vehicle penetration levels and use cases that impact electric vehicle supply equipment needs within the state;

(c) The estimated energy and capacity demand based on inputs from (b) of this subsection;

(d) Boundaries of political subdivisions including, but not limited to:

(i) Retail electricity suppliers;

(ii) Public transportation agency boundaries;

(iii) Municipalities;

(iv) Counties; and

(v) Federally recognized tribal governments;

(e) Existing and known publicly or privately owned level 2, direct current fast charge, and refueling infrastructure. The department must identify gas stations, convenience stores, and other small retailers that are colocated with existing and known electric vehicle charging infrastructure identified under this subsection;

(f) A public interface designed to provide any user the ability to determine the forecasted charging and refueling infrastructure needs within a provided geographic boundary, including those listed under (d) of this subsection; and

(g) The ability for all data tracked within the tool to be downloadable or usable within a separate mapping and forecasting tool.

(5) The tool must, if feasible, integrate scenarios including:

(a) Varying levels of public transportation utilization;

(b) Varying levels of active transportation usage, such as biking or walking;

(c) Vehicle miles traveled amounts above and below the baseline;

(d) Adoption of autonomous and shared mobility services; and

(e) Forecasts capturing each utility service area's relative level of zero emissions vehicle use that would achieve each utility service area's relative emissions reductions consistent with ((~~RCW 70A.45.020~~)) estimates from the transportation electrification strategy under RCW 43.392.040.

(6) To support highly impacted communities and vulnerable populations disproportionately burdened by transportation-related emissions and to ensure economic and mobility benefits flow to communities that have historically received less investment in infrastructure, the mapping and forecasting tool must integrate population, health, environmental, and socioeconomic data on a census tract basis. The department may use existing data used by other state or federal agencies. The department must consult with the department of health, the office of equity, the department of ecology, and other agencies as necessary in order to ensure the tool properly integrates cumulative impact analyses best practices and to ensure that the tool is developed in coordination with other state government administrative efforts to identify disproportionately impacted communities.

(7) The mapping and forecasting tool must, to the extent appropriate, integrate related analyses, such as the department of commerce's state energy strategy, the joint transportation committee's public fleet electrification study, the west coast collaborative's alternative fuel infrastructure corridor coalition report, and other related electric vehicle supply equipment assessments as deemed appropriate. To the extent that the mapping and forecasting tool is used by the department as the basis for the identification of recommended future electric vehicle charging sites, the department must consider recommending sites that are colocated with small retailers, including gas stations and convenience stores, and other amenities.

(8) Where appropriate and feasible, the mapping and forecasting tool must incorporate infrastructure located at or near the border in neighboring state and provincial jurisdictions.

(9) In designing the mapping and forecasting tool, the department must coordinate with the department of commerce, the department of ecology, the utilities and transportation commission, and other state agencies as needed in order to ensure the mapping and forecasting tool is able to successfully facilitate other state agency programs that involve deployment of electric vehicle supply equipment.

(10) The department must conduct a stakeholder process in developing the mapping and forecasting tool to ensure the tool supports the needs of communities, public agencies, and relevant private organizations. The stakeholder process must involve stakeholders((~~,~~)) including, but not limited to, electric utilities, early in the development of the tool.

(11) The department may contract with the department of commerce or consultants, or both, to develop and implement all or portions of the mapping and forecasting tool. The department may rely on or, to the extent necessary, contract for privately maintained data sufficient to develop the elements specified in subsection (4) of this section.

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

(a) "Charging infrastructure" means a unit of fueling infrastructure that supplies electric energy for the recharging of battery electric vehicles.

(b) "Direct current fast charger" means infrastructure that supplies electricity to battery electric vehicles at capacities no less than 50 kilowatts, typically using 208/408 volt three-phase direct current electricity.

(c) "Electric vehicle" means any craft, vessel, automobile, public transportation vehicle, or equipment that transports people or goods and operates, either partially or exclusively, on electrical energy from an off-board source that is stored onboard for motive purpose.

(d) "Electric vehicle supply equipment" means charging infrastructure and hydrogen refueling infrastructure.

(e) "Level 2 charger" means infrastructure that supplies electricity to battery electric vehicles at 240 volts and equal to or less than 80 amps.

(f) "Refueling infrastructure" means a unit of fueling infrastructure that supplies hydrogen for the resupply of hydrogen fuel cell electric vehicles.

**PART II**

**ELECTRIC UTILITY TRANSPORTATION ELECTRIFICATION INVESTMENTS**

**Sec.**  RCW 35.92.450 and 2019 c 109 s 2 are each amended to read as follows:

(1) The governing authority of an electric utility formed under this chapter may adopt an electrification of transportation plan that((~~, at a minimum, establishes a finding that~~)) provides utility outreach and investment in the electrification of transportation infrastructure ((~~does not increase net costs to ratepayers in excess of one-quarter of one percent~~)).

(2) In making investments under subsection (1) of this section, the governing authority must:

(a) Prioritize strategies for electric utilities to implement including, but not limited to:

(i) Residential and fleet charging;

(ii) Demand management, including managed charging; and

(iii) Upgrades to, or expansions of, utility owned and operated grid infrastructure for the purposes of delivering power to electric vehicle supply equipment.

(b) Meet or exceed the same equity-related investment requirements in RCW 70A.535.080 as implemented by the department of ecology.

(3) In adopting an electrification of transportation plan under subsection (1) of this section, the governing authority may consider some or all of the following: (a) The applicability of multiple options for electrification of transportation across all customer classes; (b) the impact of electrification on the utility's load, and whether demand response or other load management opportunities, including direct load control and dynamic pricing, are operationally appropriate; (c) system reliability and distribution system efficiencies; (d) interoperability concerns, including the interoperability of hardware and software systems in electrification of transportation proposals; and (e) overall customer experience.

((~~(3)~~)) (4) An electric utility formed under this chapter may, upon making a determination in accordance with subsection (1) of this section, offer incentive programs in the electrification of transportation for its customers, including the promotion of electric vehicle adoption and advertising programs to promote the utility's services, incentives, or rebates.

**Sec.**  RCW 54.16.430 and 2019 c 109 s 3 are each amended to read as follows:

(1) The commission of a public utility district may adopt an electrification of transportation plan that((~~, at a minimum, establishes a finding that~~)) provides utility outreach and investment in the electrification of transportation infrastructure ((~~does not increase net costs to ratepayers in excess of one-quarter of one percent~~)).

(2) In making investments under subsection (1) of this section, a public utility district must:

(a) Prioritize strategies for electric utilities to implement including, but not limited to:

(i) Residential and fleet charging;

(ii) Demand management, including managed charging; and

(iii) Upgrades to, or expansions of, utility owned and operated grid infrastructure for the purposes of delivering power to electric vehicle supply equipment.

(b) Meet or exceed the same equity-related investment requirements in RCW 70A.535.080 as implemented by the department of ecology.

(3) In adopting an electrification of transportation plan under subsection (1) of this section, the ((~~commission of a~~)) public utility district may consider some or all of the following: (a) The applicability of multiple options for electrification of transportation across all customer classes; (b) the impact of electrification on the district's load, and whether demand response or other load management opportunities, including direct load control and dynamic pricing, are operationally appropriate; (c) system reliability and distribution system efficiencies; (d) interoperability concerns, including the interoperability of hardware and software systems in electrification of transportation proposals; and (e) overall customer experience.

((~~(3)~~)) (4) A public utility district may, upon making a determination in accordance with subsection (1) of this section, offer incentive programs in the electrification of transportation for its customers, including the promotion of electric vehicle adoption and advertising programs to promote the district's services, incentives, or rebates.

**Sec.**  RCW 80.28.360 and 2019 c 287 s 6 are each amended to read as follows:

(1) In establishing rates for each electrical company regulated under this title, the commission may allow an incentive rate of return on investment ((~~through December 31, 2030,~~)) on capital expenditures for electric vehicle supply equipment that is deployed for the benefit of ratepayers((~~, provided that the capital expenditures of the utilities' programs or plans in RCW 80.28.365(1) do not increase the annual retail revenue requirement of the utility, after accounting for the benefits of transportation electrification in each year of the plan, in excess of one-quarter of one percent~~)). The commission must consider and may adopt other policies to improve access to and promote fair competition in the provision of electric vehicle supply equipment.

(2) An incentive rate of return on investment under this section may be allowed only if ((~~the~~)):

(a) The company chooses to pursue capital investment in electric vehicle supply equipment on a fully regulated basis similar to other capital investments behind a customer's meter. ((~~In the case of an incentive rate of return on investment allowed under this section, an increment of up to two percent must be added to the rate of return on common equity allowed on the company's other investments.~~))

(b) The company prioritizes strategies for electric utilities to implement including, but not limited to:

(i) Residential and fleet charging;

(ii) Demand management, including managed charging; and

(iii) Upgrades to, or expansions of, utility owned and operated grid infrastructure for the purposes of delivering power to electric vehicle supply equipment.

(c) The company meets or exceeds the same equity-related investment requirements in RCW 70A.535.080 as implemented by the department of ecology or a higher standard as set by the commission.

(3) The incentive rate of return on investment authorized in subsection (2) of this section applies only to projects which have been installed after July 1, 2015.

(4) The incentive rate of return on investment increment pursuant to this section may be earned only for a period up to the depreciable life of the electric vehicle supply equipment as defined in the depreciation schedules developed by the company and submitted to the commission for review. When the capital investment has fully depreciated, an electrical company may gift the electric vehicle supply equipment to the owner of the property on which it is located.

(5) By December 31, 2017, the commission must report to the appropriate committees of the legislature with regard to the use of any incentives allowed under this section, the quantifiable impacts of the incentives on actual electric vehicle deployment, and any recommendations to the legislature about utility participation in the electric vehicle market.

**PART III**

**ROLLING RESISTANCE OF REPLACEMENT TIRES**

NEW SECTION. **Sec.**  The legislature finds that:

(1) Rolling resistance of tires has a significant effect on the fuel efficiency of motor vehicles, and the sales of high rolling resistance replacement tires when low rolling resistance tire technology is in use by new vehicles costs the average gasoline vehicle driver the equivalent of approximately two-thirds the state gas tax;

(2) Testing of available tires in the United States market, commissioned by the pacific electric and gas company and conducted by an independent consultant, demonstrated no negative correlation between low rolling resistance and tire safety or tire longevity;

(3) Analysis conducted by the department's energy policy office shows adoption of reasonable replacement tire energy efficiency standards could result in an approximate cumulative reduction of 600,000,000 gallons of gasoline and 1,500 gigawatt hours of electricity, equating to a savings of $3,000,000,000 in transportation costs for Washington drivers and 5,000,000 metric tons of carbon dioxide from 2026 to 2035, assuming a 10 percent reduction in rolling resistance improves gasoline fuel efficiency by three percent and electricity fuel efficiency by eight percent;

(4) The transportation electrification strategy required in RCW 43.392.040 concludes that the state must also urgently pursue nonelectrification policies, including lower rolling resistance replacement tires, to comply with the greenhouse gas emissions limits in RCW 70A.45.020.

(5) Providing authority to the department to adopt energy efficiency standards for replacement tires sold in the state could therefore lower gasoline and electricity costs for drivers, reduce greenhouse gas emissions, and improve public health especially for overburdened communities near highways through reduced transportation-related air pollution.

NEW SECTION. **Sec.**  The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of commerce.

(2) "Light duty truck" means any motor vehicle other than a passenger car with a gross vehicle weight rating not exceeding 10,000 pounds.

(3) "Passenger car" means any motor vehicle designed primarily for transportation of persons, having a design capacity of 12 persons or less, with a gross vehicle weight rating not exceeding 10,000 pounds.

(4) "Replacement tire" means a passenger car or light duty truck tire sold or offered for sale in the state, except a tire sold:

(a) At wholesale for final retail sale outside the state; or

(b) With a new passenger car or light duty truck.

(5) "Rolling resistance coefficient" means the ratio of the rolling resistance force, in newtons, to the load on the tire in kilonewtons.

(6) "Tire brand name owner" means a person, other than a tire manufacturer, who owns or has the right to control the brand name of a tire or a person who licenses another to purchase tires from a tire manufacturer bearing the licensor's brand name.

(7) "Tire manufacturer" means a person, parent corporation, subsidiary, affiliate, or any other entity, other than a tire retailer, who manufactures or assembles replacement tires, or imports or distributes replacement tires in or into Washington for sale or use in Washington.

(8) "Tire retailer" means a dealer or distributor in the state, other than a tire brand name owner, that does not manufacture tires and sells replacement tires directly to a Washington resident.

NEW SECTION. **Sec.**  (1) This section applies to either passenger car replacement tires or light duty truck replacement tires, or both, for sale or offered for sale in Washington.

(2) The department, to establish and enforce energy efficiency standards for replacement tires, may adopt and implement any combination of the following:

(a) A database of replacement tires in production offered for sale or distribution in the state;

(b) Requirements for any tire brand name owners and tire manufacturers with replacement tires in production offered for sale or distribution in the state to report information necessary to implement this section;

(c) A rating system for the energy efficiency of replacement tires based on their rolling resistance coefficient;

(d) Testing procedures in alignment with enacted regulations by the national highway transportation safety administration as they existed as of the effective date of this section; and

(e) Minimum energy efficiency standards for replacement tires based on their rolling resistance.

(3)(a) The department may prohibit the sale or offer for sale of replacement tires that do not meet the minimum energy efficiency standards set in subsection (2) of this section.

(b) Any rules adopted by the department prohibiting the sale or offer for sale of replacement tires based on their rolling resistance:

(i) May not adversely affect tire safety or tire longevity as demonstrated by the testing of wet grip or traction and treadwear by an independent analyst prepared for the department or another state energy office and verified by the department in consultation with the Washington state patrol;

(ii) Must provide exemptions for snow tires, spare use tires, tires manufactured specifically for use in vehicles with three or fewer wheels, tires manufactured specifically for use in vehicles participating in an organized racing or competitive event conducted by a recognized sanctioning body, tires manufactured specifically for use in off-road recreational vehicles, or tires manufactured specifically for use in farm tractors or farm vehicles as defined in RCW 46.04.181; and

(iii) Must provide exemptions for authorized emergency vehicles as defined in RCW 46.04.040 that are unable to meet the standards in subsection (2) of this section.

(4) The department may require energy efficiency ratings determined under the rating system in subsection (2) of this section be displayed to consumers at the physical or online point of sale.

(5) If developing standards in subsection (2)(e) of this section, the department shall consider information submitted by tire industry representatives, including tire brand name owners and tire manufacturers, during a rule-making process as required in section 304 of this act. The department may classify information submitted by industry representatives as confidential information not subject to public disclosure if such a classification is requested by industry representatives and considered in the public interest by the department. Nothing in this subsection prohibits the department from adopting rules if industry representatives fail to submit information as requested by the department.

(6) The department is encouraged to coordinate with the California energy commission when implementing this section to pursue common standards, reporting requirements, and labeling that reduces compliance costs for the industry.

NEW SECTION. **Sec.**  (1) If acting on authority granted in this chapter, the department shall adopt and amend rules as necessary to implement, administer, and enforce this chapter.

(a) Tire brand name owners and tire manufacturers who violate rules adopted to implement this chapter may be issued a warning by the department, or another state agency as designated by the department, for any first violation. Repeat violations are subject to a civil penalty ranging from $100 to $10,000 per occurrence.

(b) Tire retailers who violate rules adopted to implement this chapter may be issued a warning by the department, or another state agency as designated by the department, for any first violation. Repeat violations are subject to a civil penalty ranging from $100 to $1,000 per occurrence.

(c) The department shall issue warnings and civil penalties to tire brand name owners and tire manufacturers, and not tire retailers, for violations of rules implementing section 303(3) of this act if the tire brand name owner or tire manufacturer falsely reports compliance to the tire retailer or the department.

(d) The department, or another state agency as designated by the department, may carry out inspections of replacement tires sold or offered for sale.

(2) Rules adopted to implement this chapter, except for emergency rules consistent with RCW 34.05.350, must go into effect no sooner than one year following final rule adoption.

NEW SECTION. **Sec.**  A new section is added to chapter 46.37 RCW to read as follows:

The chief of the Washington state patrol may update rules authorized in this chapter to reference rules adopted by the department of commerce as authorized by section 304 of this act to ensure better clarity and compliance.

**Sec.**  RCW 46.37.423 and 2010 c 8 s 9053 are each amended to read as follows:

(1) No person, firm, or corporation shall sell or offer for sale for use on the public highways of this state any new pneumatic passenger car tire ((~~which~~)) that does not meet ((~~the~~)):

(a) The standards established by federal motor vehicle safety standard No. 109, as ((~~promulgated~~)) adopted and updated by the United States department of transportation under authority of the National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 719, 728; 15 U.S.C. 1392, 1407); and

(b) Energy efficiency standards for replacement tires established by the department of commerce as authorized by sections 301 through 307 of this act.

((~~The applicable standard shall be the version of standard No. 109 in effect at the time of manufacture of the tire.~~))

(2) It is a traffic infraction for any person, firm, or corporation to sell or offer for sale any new pneumatic passenger car tire which does not meet the standards ((~~prescribed in~~)) provided in subsection (1)(a) of this section unless such tires are sold for off-highway use, as evidenced by a statement signed by the purchaser at the time of sale certifying that he or she is not purchasing such tires for use on the public highways of this state.

NEW SECTION. **Sec.**  A new section is added to chapter 70A.350 RCW to read as follows:

The department shall, in consultation with the department of commerce, identify and conduct hazard assessments of the chemical ingredients that are used to achieve reduced rolling resistance in passenger car and light duty truck tires.

NEW SECTION. **Sec.**  Sections 301 through 304 of this act constitute a new chapter in Title 19 RCW.

**PART IV**

**MEDIUM AND HEAVY DUTY VEHICLE IDLING PREVENTION**

NEW SECTION. **Sec.**  The legislature finds that the idling of vehicles, particularly commercial vehicles, contributes significantly to air quality concerns and greenhouse gas emissions in the state. These impacts particularly impact overburdened communities and vulnerable populations, as commercial truck routes are often located in these communities. Given the improvements in anti-idling technology and standards, it is no longer prudent to allow for the continuation of idling at current rates. Therefore, it is the intent of the legislature to limit idling of commercial vehicles in Washington.

NEW SECTION. **Sec.**  (1) Beginning January 2, 2025, any person that owns, operates, or causes to operate any diesel-fueled commercial motor vehicle subject to the requirements of this chapter must comply with the following requirements:

(a) No vehicle subject to this chapter may idle for more than five consecutive minutes at any location.

(b) No diesel-fueled auxiliary power system subject to this chapter may be operated for more than five minutes at any location within 100 feet of a restricted area.

(2) For the purposes of this section:

(a) "Auxiliary power system" means any device that is permanently dedicated to the vehicle on which it is installed and provides electrical, mechanical, or thermal energy to the primary diesel engine, truck cab or sleeper berth, bus passenger compartment, or any other commercial vehicle cab, as an alternative to idling the primary diesel engine.

(b) "Restricted area" means any real property zoned for individual or multifamily housing units, schools, hotels, motels, hospitals, senior care facilities, or child care facilities.

NEW SECTION. **Sec.**  (1) The department of ecology must initiate a rule-making process to provide for civil penalties and enforcement procedures to implement and enforce section 402 of this act. Such rules must be consistent with rules adopted to implement and enforce motor vehicle emissions standards adopted under RCW 70A.30.010. Such rules must also provide for civil penalties for violations ranging from $300 to $1,000 per violation per day.

(2) The department of ecology may determine, assess, and collect annual fees from commercial motor vehicle owners subject to this chapter in an amount sufficient to cover the direct and indirect costs of administering and enforcing this section. All fees collected under this subsection must be deposited in the idling prevention enforcement account created in section 406 of this act.

(3) In addition to penalties imposed under this section, any person who knowingly avoids any required payment of fees or who is more than 90 days late with such payment may be subject to an additional penalty equal to three times the amount of the original fee owed.

NEW SECTION. **Sec.**  Compliance with this chapter and any rules adopted under section 403 of this act applies to any person, business, or governmental agency that owns, operates, or causes to operate at any location in Washington state the following equipment:

(1) A diesel-fueled commercial motor vehicle that is licensed to operate in the state of Washington with a gross vehicle weight rating of more than 10,000 pounds; and

(2) Any alternative idle reduction technology including, but not limited to, internal combustion engine auxiliary power systems, fuel-fired heaters, battery-electric auxiliary power systems, and other technologies installed on diesel-fueled commercial motor vehicles.

NEW SECTION. **Sec.**  Any peace officer, pursuant to RCW 43.43.030, and any air pollution control authority created under chapter 70A.15 RCW may issue civil penalties for violations described under section 402 of this act.

NEW SECTION. **Sec.**  The idling prevention enforcement account is created in the state treasury. All receipts from fees imposed under section 403(2) of this act and civil penalties generated under this chapter from idling violations must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used for:

(1) Enforcement activities required in section 403 of this act and authorized under section 405 of this act;

(2) Incentives for idle reduction technologies; or

(3) Incentives for zero emissions vehicles with gross vehicle weight ratings of more than 10,000 pounds.

NEW SECTION. **Sec.**  Sections 401 through 406 of this act constitute a new chapter in Title 70A RCW.

**PART V**

**ZERO EMISSIONS SCHOOL BUSES**

NEW SECTION. **Sec.**  A new section is added to chapter 28A.160 RCW to read as follows:

(1) The legislature finds that to transition Washington's school bus fleet as quickly as the state's greenhouse gas emissions reduction targets demand and to significantly improve health outcomes for students and bus drivers, easy-to-access funding must be provided for school districts and for student transportation service contractors to purchase electric school buses on an urgent timeline.

(2) Utilizing its expertise from its clean school bus program, the department of ecology must collaborate with the office of the superintendent of public instruction and the department of commerce to:

(a) Identify target years for requiring that all new public school bus purchases be for zero emissions school buses and that all public school buses in operation be zero emissions school buses, with consideration of the modeling from the transportation electrification strategy under RCW 43.392.040 and other cost analyses and bus availability projections;

(b) Calculate the amount of funding necessary for school districts to cover higher purchase prices before cost parity, bus route planning, facility upgrades, charging infrastructure, and training for technicians and drivers; and

(c) Develop a funding process recommendation that does not require school districts to apply for state competitive grants separate from other direct funding streams, and that ensures a seamless transition from the department of ecology's clean school bus program, contingent upon receipt of sufficient funding.

(3) The office of the superintendent of public instruction must collaborate with the department of ecology and department of commerce to:

(a) Develop an extension request and approval process that can be made for a zero emissions school bus, if a district can demonstrate the zero emissions school bus will not meet the needs of the school district; and

(b) Coordinate with school districts through regional transportation coordinators to implement this section.

**PART VI**

**ELECTRIC VEHICLE INFRASTRUCTURE TRAINING**

NEW SECTION. **Sec.**  A new section is added to chapter 43.01 RCW to read as follows:

Any state agency subject to the requirements of executive order 21-04 must require that the installation of electric vehicle supply equipment at state-owned facilities be performed by persons certified by the electric vehicle infrastructure training program or a similarly accredited program to ensure safety, effectiveness, and achieve consistency in labor standards. This section does not apply to installation projects under contract as of the effective date of this section.

**PART VII**

**MISCELLANEOUS**

**Sec.**  RCW 43.84.092 and 2023 c 435 s 13, 2023 c 431 s 9, 2023 c 389 s 9, 2023 c 377 s 6, 2023 c 340 s 9, 2023 c 110 s 2, 2023 c 73 s 9, and 2023 c 41 s 3 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The abandoned recreational vehicle disposal account, the aeronautics account, the Alaskan Way viaduct replacement project account, the ambulance transport fund, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the Chehalis basin account, the Chehalis basin taxable account, the cleanup settlement account, the climate active transportation account, the climate transit programs account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the 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implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, and the state university permanent fund shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

**Sec.**  RCW 43.84.092 and 2023 c 435 s 14, 2023 c 431 s 10, 2023 c 389 s 10, 2023 c 377 s 7, 2023 c 340 s 10, 2023 c 110 s 3, 2023 c 73 s 10, and 2023 c 41 s 4 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The abandoned recreational vehicle disposal account, the aeronautics account, the Alaskan Way viaduct replacement project account, the ambulance transport fund, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the Chehalis basin account, the Chehalis basin taxable account, the cleanup settlement account, the climate active transportation account, the climate transit programs account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the 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(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

NEW SECTION. **Sec.**  If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec.**  (1) Section 701 of this act expires July 1, 2024.

(2) Section 702 of this act expires July 1, 2028.

NEW SECTION. **Sec.**  (1) Section 702 of this act takes effect July 1, 2024.

(2) Section 703 of this act takes effect July 1, 2028.

NEW SECTION. **Sec.**  If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the supplemental transportation appropriations act, this act is null and void.

**--- END ---**