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**SENATE BILL 5909**

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**State of Washington**

**68th Legislature**

**2024 Regular Session**

**By** Senators J. Wilson, Lovick, and McCune

Prefiled 12/26/23. Read first time 01/08/24. Referred to Committee on Transportation.

1 AN ACT Relating to electric vehicle impoundment and storage;  
2 amending RCW 82.44.200; adding a new chapter to Title 46 RCW;  
3 creating a new section; and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

6 (a) Accelerated adoption of electric vehicles in Washington, as  
7 intended by state policies, has required registered tow truck  
8 operators to expeditiously address novel issues specific to the  
9 towing, transport, and storage of electric vehicles;

10 (b) Traditional methods of towing gas-powered motor vehicles that  
11 leave a vehicle's wheels on the road can be ineffective and damaging  
12 to electric vehicles. Such methods generate unused electric vehicle  
13 battery power, which can lead to damage to both the electric vehicle  
14 battery and the motor. To prevent this damage the recommended method  
15 of towing an electric vehicle is on a flatbed truck, which can be  
16 more expensive and are often less maneuverable than wheel lift  
17 trucks;

18 (c) The dangers related to electric vehicle battery combustion  
19 have further rendered traditional methods of vehicle storage  
20 inadequate. The potential for reignition, sometimes up to weeks after  
21 the initial recovery, and the nature of battery fires as compared to

1 typical vehicle fires calls for registered tow truck operators to  
2 implement mitigation and prevention efforts on a scale that operators  
3 have not previously been required to address; and

4 (d) Damage from electric vehicle fires poses a hazard to the  
5 health and safety of citizens, business owners, and the environment.  
6 Proper towing, transport, and storage of electric vehicles is  
7 essential to reduce these impacts.

8 (2) Therefore, it is the intent of the legislature with this act  
9 to provide adequate support necessary to ensure registered tow truck  
10 operators are sufficiently prepared for the influx of electric  
11 vehicles as promoted by state policies and to protect the health and  
12 safety of our state's citizens and the environment.

13 NEW SECTION. **Sec. 2.** (1) A registered tow truck operator may  
14 apply to the department on a form prescribed by the department for  
15 cost reimbursement for the towing, transport, and storage of electric  
16 vehicles from public or private property.

17 (2) The department may only use funds as authorized under RCW  
18 82.44.200 for cost reimbursement for the towing, transport, and  
19 storage of electric vehicles. The department may not authorize  
20 reimbursements that total more than \$10,000 per vehicle for which  
21 cost reimbursements are requested.

22 (3) The department may adopt rules including, but not limited to,  
23 application form and contents, and cost reimbursement and the  
24 reimbursement process, to implement this section.

25 (4) For the purposes of this section, "electric vehicle" means  
26 any passenger car, light duty truck, and medium duty passenger  
27 vehicle that:

28 (a) Is exclusively powered by a clean alternative fuel as defined  
29 in RCW 82.08.9999(5); or

30 (b) Uses at least one method of propulsion that is capable of  
31 being reenergized by an external source of electricity and is capable  
32 of traveling at least 30 miles using only battery power.

33 **Sec. 3.** RCW 82.44.200 and 2023 c 472 s 718 are each amended to  
34 read as follows:

35 The electric vehicle account is created in the transportation  
36 infrastructure account. Proceeds from the principal and interest  
37 payments made on loans from the account must be deposited into the  
38 account. Expenditures from the account may be used only for the

1 purposes specified in RCW 47.04.350, 82.08.9999, and 82.12.9999,  
2 section 2 of this act, and the support of other transportation  
3 electrification and alternative fuel related purposes, including RCW  
4 47.01.520. Moneys in the account may be spent only after  
5 appropriation. During the 2021-2023 and 2023-2025 fiscal biennia, the  
6 legislature may direct the state treasurer to make transfers of  
7 moneys in the electric vehicle account to the move ahead WA flexible  
8 account and multimodal transportation account.

9 NEW SECTION. **Sec. 4.** (1) The department of commerce must  
10 establish a program to award grants to registered tow truck operators  
11 for the purpose of retrofitting storage facilities to provide for  
12 additional facility protections to accommodate electric vehicles  
13 including, but not limited to, the installation of containment bays  
14 constructed of concrete ecology blocks, or other storage facilities  
15 approved or recommended by the national highway traffic safety  
16 administration.

17 (2) This section expires July 1, 2027.

18 NEW SECTION. **Sec. 5.** Sections 1 and 2 of this act constitute a  
19 new chapter in Title 46 RCW.

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