

**WAC 173-423-083 Fleet reporting requirement.** (1) Applicability.

(a) Except as provided in subsection (2) of this section, the following entities must submit to ecology all of the information in subsection (3) of this section. As used in this section, all operations conducted by entities under common ownership or control must be aggregated and considered to be one entity to determine fleet reporting applicability.

(i) Any entity that has gross annual revenues greater than \$50,000,000 in the United States for the 2022 tax year, including revenues from all subsidiaries, subdivisions, or branches, and that operated a facility in Washington in 2022 that had one or more vehicles over 8,500 pounds GVWR that operated in Washington in 2022.

(ii) Any fleet owner or operator that owns or operates a facility in Washington and that, in the 2022 calendar year, owned or operated five or more vehicles with a GVWR greater than 8,500 pounds.

(iii) Any broker or entity that, in the 2022 calendar year, dispatched five or more vehicles with a GVWR greater than 8,500 pounds into or throughout Washington.

(iv) Any Washington government agency, including state and local government, that operated five or more vehicles over 8,500 pounds GVWR in Washington in 2022.

(v) Any federal government agency that operated five or more vehicles over 8,500 pounds GVWR in Washington in 2022.

(b) The following vehicles are exempt from the reporting requirements in this section:

- (i) Vehicles awaiting sale; and
  - (ii) Authorized emergency vehicles.
- (2) General requirements.

(a) All entities required to report under this rule must report information to ecology no later than September 30, 2023.

(b) Subsidiaries, parent companies, or joint ventures may independently report information for each vehicle over 8,500 pounds. Alternatively, the corporate parent or joint venture business may report on behalf of its subsidiaries, as long as the information for all vehicles over 8,500 pounds is reported for each subsidiary, corporate parent, and joint venture.

(c) An entity subject to this subsection and that has brokerage or motor carrier authority, or both, must submit a report, even if no vehicles are owned by the entity.

(d) Information pertaining to vehicles that are under common ownership or control may be submitted separately by each fleet owner.

(e) Entities subject to this subsection may report vehicle data as the fleet was comprised on any date of the entity's choosing, so long as that date falls between January 1, 2022, and December 31, 2022.

(3) Fleet reporting requirement. An entity required to report under this section must report the information according to the requirements of each provision of this section. The reporting must include information for each and every operation under common ownership or control.

(a) General information.

(i) Name (i.e., if a business, the registered business name) and all business names that the entity does business as (i.e., all "dba" or "doing business as" names);

(ii) Mailing address including street name or P.O. box, city, state, and zip code;

(iii) Name of the responsible official;

- (iv) Responsible official's email address;
  - (v) Responsible official's phone number;
  - (vi) Name of corporate parent or governing body, as applicable;
  - (vii) Federal taxpayer identification number of corporate parent or other entities with which the reporting entity has vehicles under common or control;
  - (viii) For a government agency, the jurisdiction (federal, state, or local); federal taxpayer identification number; primary six-digit North American Industry Classification System code;
  - (ix) For a nongovernmental entity, the total annual revenue for the entity in the United States for 2022;
  - (x) Broker authority under the Federal Motor Carrier Safety Administration;
  - (xi) The operating authority numbers, including motor carrier identification number, United States Department of Transportation number, and International Registration Plan number;
  - (xii) The number of entities with whom the reporting entity had a contract to deliver items or to perform work in Washington using vehicles over 8,500 pounds GVWR in 2022;
  - (xiii) The estimated number of subhaulers, vehicles operated by subhaulers, and the number of vehicles operated by subhaulers that operated under the reporting entity's motor carrier authority; and
  - (xiv) The number of vehicles with a GVWR over 8,500 pounds the reporting entity owned and operated in Washington in 2022 that do not have a vehicle home base in Washington.
- (b) Vehicle home base. An entity required to report under this section must report general information about the vehicle home base. Vehicles that accrue a majority of their annual miles in Washington but are not assigned to a particular location in Washington must be reported as part of the entity's headquarters or the location where the vehicles' operation is managed. The entity must report for each vehicle home base:
- (i) Facility address including street name, city, state, and zip code;
  - (ii) Facility type category, using one of the following categories:
    - (A) Administrative/office building;
    - (B) Distribution center/warehouse;
    - (C) Hotel/motel/resort;
    - (D) Manufacturer/factory/plant;
    - (E) Medical/hospital/care;
    - (F) Multibuilding campus/base;
    - (G) Restaurant;
    - (H) Service center;
    - (I) Store;
    - (J) Truck/equipment yard; and
    - (K) Any other facility type;
  - (iii) Name of responsible official;
  - (iv) Responsible official's email address;
  - (v) Whether the facility is owned or leased by the entity;
  - (vi) What type of fueling infrastructure is installed at the facility;
  - (vii) Whether the refueling infrastructure at the facility was initially installed on or after January 1, 2010; and
  - (viii) The types of trailers the reporting entity pulls, if it has tractors assigned or domiciled at this facility.

(c) For each vehicle home base, an entity may report the information grouped by vehicle body type, and weight class bins and fuel type. An entity may complete responses for each individual vehicle and include the vehicle's body type, weight class bin, and fuel type. If applicable, an entity must separately report vehicles dispatched under their brokerage authority. When responding, each vehicle must only be counted once for each response. An entity must report:

(i) Number of vehicles in each vehicle group;

(ii) Model year of the vehicle and engine for each reported vehicle;

(iii) The percent of the vehicles in each vehicle group with operating characteristics including, but not limited to: Daily mileage, usage patterns, refueling, trailer towing, and other such characteristics as specified by ecology. The term "usage pattern" shall include:

(A) Average number of trips per day;

(B) Typical destination points for vehicles within each group;

(C) Locations where trucks are parked for two hours or more per day, if different from the vehicle home base;

(iv) The average annual mileage for a typical vehicle in this vehicle group;

(v) The average length of time a typical vehicle in this vehicle group is retained by the reporting entity after acquisition;

(vi) Whether the reporting entity is the fleet owner for this group of vehicles, or if they are dispatched under the reporting entity's brokerage authority; and

(vii) The start and end date of the analysis period selected by the reporting entity as required under (d) of this subsection.

(d) An entity must choose a period of time, for example annual or quarterly data averaged for work days during the period selected to determine responses. For example, if an entity selects annual data to determine vehicle daily mileage, the entity must average the annual mileage accrued based on the number of work days that year.

(i) A shorter analysis period may be used if the reporting entity deems it more representative of periods of high vehicle utilization when answering questions about typical daily operation. For example, if a reporting entity with seasonal workload fluctuations determines that a week or month during the busy season is representative, average the data records for that week or month when determining a response.

(ii) If an alternative analysis period is used, the reporting entity must be prepared to describe their reasoning at the request of ecology.

(e) For information reported for a vehicle group at one location, a reporting entity may repeat that information for the same vehicle group at another vehicle home base if the reporting entity determines that the operation at the second location is substantially similar to that at the first location.

(f) A broker must provide information about vehicle usage that is dispatched under contract, such as if a broker hires a truck to move a load, only the miles driven under that contract are required for the response. If known, the broker may voluntarily report information about the miles driven outside the contract.

(4) Fleet reporting recordkeeping.

(a) An entity required to report must maintain all of the following records related to the reporting for five years after the reporting deadline:

(i) For owned on-road vehicles, mileage records and dates from records, such as maintenance logs, vehicle logs, or odometer readings,

or other records with the information that the reporting entity used to prepare the information the entity submitted;

(ii) For on-road vehicles not owned, but dispatched by the entity, dispatch records and dates, contracts, or other records with the information that the reporting entity used to prepare the information the entity submitted;

(iii) Vehicle registration for each owned vehicle operated in Washington; and

(iv) Contracts with entities, or contracts with subhaulers, or other records with the information that the reporting entity used to prepare the information the entity submitted.

(b) An entity subject to this section must respond to requests for clarification of reported information within 14 days of receiving the request from ecology.

[Statutory Authority: RCW 70A.30.010. WSR 23-01-102 (Order 21-12), § 173-423-083, filed 12/19/22, effective 1/19/23.]