

# HOUSE BILL REPORT

## HB 1781

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**As Reported by House Committee On:**  
Technology, Energy & Communications

**Title:** An act relating to alternative fuel vehicle requirements.

**Brief Description:** Regarding alternative fuel vehicle requirements.

**Sponsors:** Representatives Pearson, Eddy and Kristiansen.

**Brief History:**

**Committee Activity:**

Technology, Energy & Communications: 2/8/11, 2/15/11 [DPS].

**Brief Summary of Substitute Bill**

- Delays the 100 percent biodiesel or electricity usage requirement for state and local governments by three years (to June 1, 2018).
- Delays the 40 percent biodiesel or electricity usage requirement for state agencies by three years (to June 1, 2016).
- Delays the related Department of Commerce rulemaking by three years (to June 1, 2013).
- Exempts from the requirements of the bill any first response or emergency-related vehicles operated by fire departments, police departments, ambulance districts, or any emergency response organization.

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### HOUSE COMMITTEE ON TECHNOLOGY, ENERGY & COMMUNICATIONS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives McCoy, Chair; Jacks, Vice Chair; Crouse, Ranking Minority Member; Short, Assistant Ranking Minority Member; Anderson, Carlyle, Dahlquist, Eddy, Haler, Harris, Hasegawa, Kelley, Kristiansen, McCune and Nealey.

**Minority Report:** Do not pass. Signed by 4 members: Representatives Billig, Frockt, Liias and Morris.

**Staff:** Kara Durbin (786-7133).

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Background:**

In 2007 the Legislature enacted alternative fuel usage requirements for state and local governments. These requirements specify that by 2015 all state agencies and local governments, to the extent practicable as determined by the Department of Commerce, must satisfy 100 percent of their fuel needs for all vessels, vehicles, and construction equipment using electricity or biofuel. The Department of Commerce must adopt rules to define practicability and clarify how state and local governments will be evaluated to determine compliance.

In 2009 an interim alternative fuel usage requirement was adopted for state agencies. By June 1, 2013, state agencies, to the extent practicable as determined by the Department of Commerce, must achieve 40 percent fuel usage from electricity or biofuel for publicly owned vessels, vehicles, and construction equipment.

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**Summary of Substitute Bill:**

The compliance date for 100 percent biodiesel or electricity use by state and local governments is pushed back by three years. State agencies and local governments are required, to the extent practicable as determined by the Department of Commerce, to satisfy 100 percent of their fuel needs for all vessels, vehicles, and construction equipment using electricity or biofuels effective June 1, 2018.

The interim requirement for state agencies to use 40 percent biodiesel or electricity also is pushed back by three years. State agencies are required, to the extent practicable as determined by the Department of Commerce, to satisfy 40 percent of their fuel needs for all vessels, vehicles, and construction equipment using electricity or biofuels effective June 1, 2016.

The rulemaking that must be conducted by the Department of Commerce regarding how to define practicability for purposes of this standard is pushed back by three years to June 1, 2013.

These requirements do not apply to first response or emergency-related vehicles operated by fire departments, fire districts, ambulance districts, police departments, or any emergency response organization.

Statutory references to the Department of Community, Trade and Economic Development are changed to the Department of Commerce.

**Substitute Bill Compared to Original Bill:**

The substitute bill delays the interim alternative fuel usage requirement for state agencies by three years. It also delays the related rulemaking conducted by the Department of Commerce by three years. The term "goals" is replaced with the term "alternative fuel usage standards" for purposes of the Department of Commerce's rulemaking regarding practicability.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) This is a worthy bill to consider. We considered an earlier bill on this topic, but needed a broader title to make these adjustments. We want to pursue a standard that state and local governments can actually attain. The use of biofuels and electricity for transportation needs is a good idea, but there are challenges with implementation. This is a unfunded mandate for local governments at a time where they cannot afford to do this. The cost of replacing vehicles is very significant. There needs to be clear exemptions and time spent on defining what is practicable.

This mandate was missed by fire commissioners in past years. It is critical that first response vehicles be able to perform in an emergency situation. We support the exemption for first responders.

(In support with concerns) The Washington State Ferries (WSF) supports expansion of biodiesel use; they are a committed partner to move forward with burning cleaner fuels. The WSF has conducted two biodiesel testing pilots successfully burning a 5 percent biodiesel blend. However, no one approves 100 percent biodiesel-based fuel for marine engines.

(Opposed) None.

**Persons Testifying:** (In support) Representative Eddy; Mark Brown, Cities of Vancouver, Lacey, Longview, Battle Ground, and Richfield; Ashley Probart, Association of Washington Cities; Ryan Spiller, Washington Fire Commissioners Association; and Mike Brown, Washington State Association of Fire Chiefs.

(In support with concerns) Paul Brouder, Washington State Ferries.

**Persons Signed In To Testify But Not Testifying:** None.