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HOUSE BILL 1602

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State of Washington                      63rd Legislature                      2013 Regular Session

By Representatives Springer, Pike, Takko, and Ryu

Read first time 02/01/13. Referred to Committee on Environment.

1            AN ACT Relating to fuel usage of publicly owned vehicles, vessels,  
2 and construction equipment; and amending RCW 43.19.648 and 43.325.080.

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

1 following are exempt from this requirement: (a) Transit agencies using  
2 compressed natural gas on June 1, 2018(~~, are exempt from this~~  
3 requirement)); (b) police, fire, and other emergency response vehicles;  
4 (c) engine retrofits that would void warranties; and (d) conventional  
5 vehicles and equipment owned before June 1, 2018. Compressed natural  
6 gas, liquefied natural gas, or propane may be substituted for  
7 electricity or biofuel if the department of commerce determines that  
8 electricity and biofuel are not reasonably available.

9 (3) In order to phase in this transition for the state, all state  
10 agencies, to the extent determined practicable by the department of  
11 commerce by rules adopted pursuant to RCW 43.325.080, are required to  
12 achieve forty percent fuel usage for operating publicly owned vessels,  
13 vehicles, and construction equipment from electricity or biofuel by  
14 June 1, 2013. Compressed natural gas, liquefied natural gas, or  
15 propane may be substituted for electricity or biofuel if the department  
16 of commerce determines that electricity and biofuel are not reasonably  
17 available. The department of enterprise services, in consultation with  
18 the department of commerce, shall report to the governor and the  
19 legislature by December 1, 2013, on what percentage of the state's fuel  
20 usage is from electricity or biofuel.

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

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

29 (6) The department of transportation's obligations under subsection  
30 (3) of this section are subject to the availability of amounts  
31 appropriated for the specific purpose identified in subsection (3) of  
32 this section.

33 (7) The department of transportation's obligations under subsection  
34 (5) of this section are subject to the availability of amounts  
35 appropriated for the specific purpose identified in subsection (5) of  
36 this section unless the department receives federal or private funds  
37 for the specific purpose identified in subsection (5) of this section.

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

3 (a) "Battery charging station" means an electrical component  
4 assembly or cluster of component assemblies designed specifically to  
5 charge batteries within electric vehicles, which meet or exceed any  
6 standards, codes, and regulations set forth by chapter 19.28 RCW and  
7 consistent with rules adopted under RCW 19.27.540.

8 (b) "Battery exchange station" means a fully automated facility  
9 that will enable an electric vehicle with a swappable battery to enter  
10 a drive lane and exchange the depleted battery with a fully charged  
11 battery through a fully automated process, which meets or exceeds any  
12 standards, codes, and regulations set forth by chapter 19.28 RCW and  
13 consistent with rules adopted under RCW 19.27.540.

14 **Sec. 2.** RCW 43.325.080 and 2011 c 353 s 5 are each amended to read  
15 as follows:

16 (1) By June 1, 2010, the department shall adopt rules to define  
17 practicability and clarify how state agencies will be evaluated in  
18 determining whether they have met the goals set out in RCW  
19 43.19.648(1). At a minimum, the rules must address:

20 (a) Criteria for determining how the goal in RCW 43.19.648(1) will  
21 be met by June 1, 2015;

22 (b) Factors considered to determine compliance with the goal in RCW  
23 43.19.648(1), including but not limited to: The regional availability  
24 of fuels; vehicle costs; differences between types of vehicles,  
25 vessels, or equipment; the cost of program implementation; and cost  
26 differentials in different parts of the state; and

27 (c) A schedule for phased-in progress towards meeting the goal in  
28 RCW 43.19.648(1) that may include different schedules for different  
29 fuel applications or different quantities of biofuels.

30 (2)(a) By June 1, 2015, the department shall adopt rules to  
31 (~~define practicability and~~) clarify how local government subdivisions  
32 of the state will be evaluated in determining whether they have met the  
33 goals set out in RCW 43.19.648(2). At a minimum, the rules must  
34 address:

35 ((+a)) (i) Criteria for determining how the goal in RCW  
36 43.19.648(2) will be met by June 1, 2018, including recommendations to  
37 local government subdivisions on mechanisms or frameworks that could be

1 used when considering cost, fuel availability, and other conversion  
2 issues when the local government subdivisions are determining the  
3 practicability of purchasing decisions;

4 ((+b)) (ii) Factors considered to determine compliance with the  
5 goal in RCW 43.19.648(2), including but not limited to: The regional  
6 availability of fuels; vehicle costs; differences between types of  
7 vehicles, vessels, or equipment; the cost of program implementation;  
8 and cost differentials in different parts of the state; and

9 ((+e)) (iii) A schedule for phased-in progress towards meeting the  
10 goal in RCW 43.19.648(2) that may include different schedules for  
11 different fuel applications or different quantities of biofuels.

12 (b) Every local government subdivision must determine whether  
13 meeting the fuel usage requirement in RCW 43.19.648(2) is practicable.

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