
SENATE BILL 5543

State of Washington

67th Legislature

2022 Regular Session

By Senators Carlyle, Das, Hunt, Lias, Lovelett, Lovick, Mullet, Nguyen, Pedersen, Randall, Rolfes, Stanford, C. Wilson, and J. Wilson

Prefiled 12/14/21. Read first time 01/10/22. Referred to Committee on Environment, Energy & Technology.

1 AN ACT Relating to a zero-emission landscaping equipment
2 incentive program; adding new sections to chapter 70A.15 RCW;
3 creating new sections; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that gasoline-
6 powered and diesel-powered landscape equipment emit a host of air
7 pollutants, including nitrogen oxides, particulate matter, carbon
8 dioxide, and other pollutants, contributing to the global climate
9 crisis and negatively impacting public health. According to the
10 United States environmental protection agency, gas-powered mowers
11 contribute five percent of United States air pollution and estimates
12 indicate more than 17,000,000 gallons of fuel, mostly gasoline, is
13 spilled each year while refueling lawn equipment. Nationally, the
14 department of transportation data shows that in 2018, Americans used
15 nearly 3,000,000,000 gallons of gasoline running lawn and garden
16 equipment, equivalent to the annual energy use of more than 3,000,000
17 homes. One hour of running a gas lawnmower can contribute as much
18 smog-forming pollution as driving a passenger car 300 miles, and one
19 hour of running a gas leaf blower can contribute as much smog-forming
20 pollution as driving a passenger car 1,100 miles.

1 (2) The legislature further finds that the small gas engines used
2 in lawn and garden equipment are not only bad for the environment and
3 contributing to climate change, but they can also cause asthma,
4 hearing loss, and other health issues for workers who use them. Going
5 electric can generate health benefits and protect those who have to
6 hear, handle, and inhale gas engines for hours on end. Additionally,
7 the noise from gas-powered equipment can be a nuisance, with many
8 communities enacting restrictions on the use of commercial lawn
9 equipment. Residents value the quiet of electric equipment,
10 especially during a time when many are working from home.

11 (3) The legislature further finds that the technology and
12 consumer markets are ready for the transition to cleaner, all-
13 electric lawn and garden equipment. In some instances, electric and
14 battery-operated equipment are just as powerful as gas, and more
15 efficient. The market share of battery-powered lawn equipment is
16 growing at a rate three times faster than gas, and already, many
17 homeowners, businesses, cities, and universities have converted to
18 all-electric landscaping equipment. It is estimated that the volume
19 of electric-powered lawn equipment that North American manufacturers
20 shipped jumped from about 9,000,000 units in 2015 to over 16,000,000
21 in 2020, an increase of more than 75 percent in only five years, and
22 during that time, electric equipment went from roughly 32 percent to
23 44 percent of the overall lawn equipment market. Some manufacturers
24 even have plans to cease the production of gas-powered equipment.

25 (4) Therefore, the legislature intends to establish a zero-
26 emission landscaping equipment incentive and exchange pilot program
27 to accelerate the phase out of super-polluting gas-powered equipment
28 by assisting residents and businesses in transitioning to cleaner
29 alternatives.

30 NEW SECTION. **Sec. 2.** A new section is added to chapter 70A.15
31 RCW to read as follows:

32 (1) Subject to the availability of amounts appropriated for this
33 specific purpose, a zero-emission landscaping equipment incentive and
34 exchange pilot program is established in order to help residents and
35 professional landscapers and gardeners make the switch from gasoline-
36 powered or diesel-powered landscaping equipment to new all-electric
37 landscaping equipment.

38 (2) The goal of the program is to improve air quality by
39 exchanging older, polluting gasoline-powered or diesel-powered

1 landscaping equipment for new zero-emission electric equipment for
2 operation by commercial businesses and residents in Washington.

3 (3) The program must be administered by the department and the
4 department may coordinate with local clean air agencies and regional
5 offices, where a local clean air agency does not exist, to administer
6 the program.

7 (4) (a) Incentives must be offered in the form of a rebate and go
8 towards the replacement of gasoline-powered or diesel-powered
9 landscaping equipment with new all-electric landscaping equipment.

10 (b) The program may provide an award of:

11 (i) One hundred dollars for any equipment with a purchase price
12 of up to \$300, including any sales and use tax; and

13 (ii) Two hundred dollars for any equipment with a purchase price
14 over \$300, including any sales and use tax.

15 (5) (a) Eligible recipients include:

16 (i) Residential owners and operators of gasoline-powered or
17 diesel-powered landscaping equipment; and

18 (ii) Commercial landscaping businesses.

19 (b) Reimbursement awards are limited to a maximum of one award
20 per residential applicant and three awards per business applicant.

21 (6) Eligible equipment includes:

22 (a) Edgers, trimmers, chainsaws, and pole saws;

23 (b) Leaf blowers and vacuums;

24 (c) Walk-behind mowers;

25 (d) Ride-on or stand-ride mowers;

26 (e) Additional batteries and chargers; and

27 (f) Other equipment approved by the department.

28 (7) Rebates for purchase must go towards new all-electric
29 equipment, which has not been previously used or previously owned,
30 and equipment must be purchased from a retail store or online
31 retailer.

32 (8) Eligible applicants must currently own and operate a working
33 gasoline-powered or diesel-powered piece of landscaping equipment.

34 (9) At least one operable gasoline-powered or diesel-powered
35 piece of landscaping equipment must be scrapped to qualify for a
36 rebate on the purchase of all-electric replacement equipment, but a
37 rebate award may go toward the purchase of any eligible piece of
38 equipment or any combination of eligible equipment.

1 (10)(a) The department must establish and publish an approved
2 list of retailers where purchases of new all-electric equipment are
3 eligible for rebate awards.

4 (b) Any retailer that agrees to take old gasoline-powered or
5 diesel-powered equipment from residents or businesses for recycling
6 or disposal is an approved retailer.

7 (11)(a) The department must track the effectiveness of the
8 program by estimating emissions reductions from the exchange of
9 landscaping equipment.

10 (b) If the program is effective in reducing emissions from
11 landscaping equipment, the legislature intends to continue the
12 program.

13 NEW SECTION. **Sec. 3.** A new section is added to chapter 70A.15
14 RCW to read as follows:

15 The zero-emission landscaping equipment incentive account is
16 created in the custody of the state treasurer. The program
17 established in section 2 of this act is considered an eligible
18 program for funding by the climate commitment account established in
19 RCW 70A.65.260 and receipts from the climate commitment account may
20 be deposited into the zero-emission landscaping equipment incentive
21 account for this purpose. Expenditures from the zero-emission
22 landscaping equipment incentive account may be used only for the
23 purposes of section 2 of this act. Only the director of the
24 department or the director's designee may authorize expenditures from
25 the account. The account is subject to allotment procedures under
26 chapter 43.88 RCW, but an appropriation is not required for
27 expenditures.

28 NEW SECTION. **Sec. 4.** Sections 2 and 3 of this act may be known
29 and cited as the cash for lawn clunkers act.

30 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
31 preservation of the public peace, health, or safety, or support of
32 the state government and its existing public institutions, and takes
33 effect immediately.

--- END ---