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**SENATE BILL 5091**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senators Boehnke, Chapman, MacEwen, J. Wilson, Dozier, Fortunato, Harris, Schoesler, Goehner, Short, Braun, Warnick, and Muzzall

Prefiled 12/19/24.

1 AN ACT Relating to motor vehicle emission standards for  
2 Washington; amending RCW 46.16A.060 and 46.37.470; adding a new  
3 section to chapter 70A.30 RCW; creating a new section; and repealing  
4 RCW 70A.30.010.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that motor vehicle  
7 emission standards are developed by the federal government pursuant  
8 to the federal clean air act. While federal law permits states to  
9 adopt California's motor vehicle emission standards as an alternative  
10 to the federal standards, this remains optional. The legislature  
11 further finds that decarbonizing the transportation sector is  
12 achievable and an important objective in Washington state, but  
13 adopting California's standards limits flexibility in meeting  
14 Washington's unique needs and economy. For these reasons, the  
15 legislature determines that a more balanced approach is needed for  
16 Washington's transition to a carbon free transportation sector.

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

19 (1) The department of ecology shall adopt rules, which may be  
20 amended from time to time to remain compliant with federal law, to

1 implement motor vehicle emission standards that maintain consistency  
2 with the federal clean air act, as it existed on the effective date  
3 of this section.

4 (2) Notwithstanding subsection (1) of this section, the  
5 department of ecology shall not adopt California's motor vehicle  
6 emission standards as authorized in 42 U.S.C. Sec. 7507, as it  
7 existed on the effective date of this section.

8 **Sec. 3.** RCW 46.16A.060 and 2021 c 65 s 50 are each amended to  
9 read as follows:

10 (1) The department, county auditor or other agent, or subagent  
11 appointed by the director may not issue or renew a motor vehicle  
12 registration or change the registered owner of a registered vehicle  
13 for any motor vehicle required to be inspected under chapter 70A.25  
14 RCW, unless the application for issuance or renewal is: (a)  
15 Accompanied by a valid certificate of compliance or a valid  
16 certificate of acceptance issued as required under chapter 70A.25  
17 RCW; or (b) exempt, as described in subsection (2) of this section.  
18 The certificates must have a date of validation that is within  
19 (~~twelve~~) 12 months of the assigned registration renewal date.  
20 Certificates for fleet or owner tested diesel vehicles may have a  
21 date of validation that is within (~~twelve~~) 12 months of the  
22 assigned registration renewal date.

23 (2) The following motor vehicles are exempt from emission test  
24 requirements:

25 (a) Motor vehicles that are less than five years old or more than  
26 (~~twenty-five~~) 25 years old;

27 (b) Motor vehicles that are a 2009 model year or newer;

28 (c) Motor vehicles powered exclusively by electricity, propane,  
29 compressed natural gas, liquefied natural gas, or liquid petroleum  
30 gas;

31 (d) Motorcycles as defined in RCW 46.04.330 and motor-driven  
32 cycles as defined in RCW 46.04.332;

33 (e) Farm vehicles as defined in RCW 46.04.181;

34 (f) Street rod vehicles as defined in RCW 46.04.572 and custom  
35 vehicles as defined in RCW 46.04.161;

36 (g) Used vehicles that are offered for sale by a motor vehicle  
37 dealer licensed under chapter 46.70 RCW;

38 (h) Classes of motor vehicles exempted by the director of the  
39 department of ecology;

1 (i) Hybrid motor vehicles that obtain a rating by the  
2 environmental protection agency of at least (~~(fifty)~~) 50 miles per  
3 gallon of gas during city driving. For purposes of this section, a  
4 hybrid motor vehicle is one that uses propulsion units powered by  
5 both electricity and gas; and

6 (j) Collectible vehicles as defined in RCW 46.04.123.

7 (3) The department of ecology must provide information to motor  
8 vehicle owners:

9 (a) Regarding the boundaries of emission contributing areas and  
10 restrictions established under this section that apply to vehicles  
11 registered in such areas; and

12 (b) On the relationship between motor vehicles and air pollution  
13 and steps motor vehicle owners should take to reduce motor vehicle  
14 related air pollution.

15 (4) The department of licensing must:

16 (a) Notify all registered motor vehicle owners affected by the  
17 emission testing program that they must have an emission test to  
18 renew their registration;

19 (b) Adopt rules implementing and enforcing this section, except  
20 for subsection (2)(e) of this section, as specified in chapter 34.05  
21 RCW.

22 (5) A motor vehicle may not be registered, leased, rented, or  
23 sold for use in the state(~~(, starting with the model year as provided~~  
24 ~~in RCW 70A.30.010,)~~) unless the vehicle(~~(÷~~

25 ~~(a) Has seven thousand five hundred miles or more; or~~

26 ~~(b)(i) Is))~~ is consistent with the vehicle emission standards and  
27 carbon dioxide equivalent emission standards adopted by the  
28 department of ecology(~~(÷ and~~

29 ~~(ii) Has a California certification label for all emission~~  
30 ~~standards, and carbon dioxide equivalent emission standards necessary~~  
31 ~~to meet fleet average requirements)).~~

32 (6) The department of licensing, in consultation with the  
33 department of ecology, may adopt rules necessary to implement this  
34 section and may provide for reasonable exemptions to these  
35 requirements. The department of ecology may exempt public safety  
36 vehicles from meeting the standards where the department finds that  
37 vehicles necessary to meet the needs of public safety agencies are  
38 not otherwise reasonably available.

1       **Sec. 4.** RCW 46.37.470 and 2021 c 65 s 51 are each amended to  
2 read as follows:

3       (1) "Air conditioning equipment," as used or referred to in this  
4 section, means mechanical vapor compression refrigeration equipment  
5 that is used to cool the driver's or passenger compartment of any  
6 motor vehicle.

7       (2) Air conditioning equipment must be manufactured, installed,  
8 and maintained with due regard for the safety of the occupants of the  
9 vehicle and the public. Air conditioning equipment may not contain  
10 any refrigerant that is toxic to persons or that is flammable, unless  
11 the refrigerant is allowed under the department of ecology's motor  
12 vehicle emission standards (~~adopted under RCW 70A.30.010~~).

13       (3) The state patrol may enforce safety requirements,  
14 regulations, and specifications consistent with the requirements of  
15 this section applicable to air conditioning equipment which must  
16 correlate with and, so far as possible, conform to the current  
17 recommended practice or standard applicable to air conditioning  
18 equipment approved by the society of automotive engineers.

19       (4) A person may not sell or equip, for use in this state, a new  
20 motor vehicle with any air conditioning equipment unless it complies  
21 with the requirements of this section.

22       (5) A person may not register or license for use on any highway  
23 any new motor vehicle equipped with any air conditioning equipment  
24 unless the equipment complies with the requirements of this section.

25       NEW SECTION. **Sec. 5.** RCW 70A.30.010 (Department of ecology to  
26 adopt rules to implement California motor vehicle emission standards)  
27 and 2020 c 143 s 1, 2020 c 20 s 1366, 2010 c 76 s 1, & 2005 c 295 s 2  
28 are each repealed.

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