
HOUSE BILL 2915

State of Washington

56th Legislature

2000 Regular Session

By Representative Pennington

Read first time . Referred to Committee on .

1 AN ACT Relating to incentives to encourage the use of clean fuel
2 motor vehicles; amending RCW 82.38.075, 70.120.170, and 70.94.015;
3 adding a new section to chapter 82.08 RCW; and adding a new section to
4 chapter 82.12 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 82.08 RCW
7 to read as follows:

8 The tax levied by RCW 82.08.020 does not apply to sales of
9 passenger vehicles that are designed to use clean fuels as defined in
10 RCW 70.94.015. For the purposes of this section, "passenger vehicle"
11 means a passenger car as defined in RCW 46.04.382, or a truck as
12 defined in 46.04.653 with a weight not exceeding six thousand pounds.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 82.12 RCW
14 to read as follows:

15 The provisions of this chapter do not apply with respect to the use
16 of passenger vehicles that are designed to use clean fuels as defined
17 in RCW 70.94.015. For the purposes of this section, "passenger
18 vehicle" is defined as provided in section 1 of this act.

1 **Sec. 3.** RCW 82.38.075 and 1983 c 212 s 1 are each amended to read
2 as follows:

3 In order to encourage the use of nonpolluting fuels, an annual
4 license fee in lieu of the tax imposed by RCW 82.38.030 shall be
5 imposed upon the use of natural gas as defined in this chapter or on
6 liquified petroleum gas, commonly called propane, which is used in any
7 motor vehicle, as defined in RCW 46.04.320, which shall be based upon
8 the following schedule as adjusted by the formula set out below:

9	VEHICLE TONNAGE (GVW)	FEE
10	0 - 6,000	\$ ((45)) <u>0</u>
11	6,001 - 10,000	\$ ((45)) <u>0</u>
12	10,001 - 18,000	\$ ((80)) <u>0</u>
13	18,001 - 28,000	\$110
14	28,001 - 36,000	\$150
15	36,001 and above	\$250

16 To determine the actual annual license fee imposed by this section
17 for a registration year, the appropriate dollar amount set out in the
18 above schedule shall be multiplied by the motor vehicle fuel tax rate
19 in cents per gallon as established by RCW 82.36.025 effective on July
20 1st of the preceding calendar year and the product thereof shall be
21 divided by 12 cents.

22 The department of licensing, in addition to the foregoing fee,
23 shall charge a further fee of five dollars as a handling charge for
24 each license issued.

25 The director of licensing shall be authorized to prorate the
26 vehicle tonnage fee so that the annual license required by this section
27 will correspond with the staggered vehicle licensing system.

28 A decal or other identifying device issued upon payment of these
29 annual fees shall be displayed as prescribed by the department as
30 authority to purchase this fuel.

31 Persons selling or dispensing natural gas or propane may not sell
32 or dispense this fuel for their own use or the use of others into tanks
33 of vehicles powered by this fuel which do not display a valid decal or
34 other identifying device as provided in this section.

35 Vehicles registered in jurisdictions outside the state of
36 Washington are exempt from this section.

1 Any person selling or dispensing natural gas or propane into the
2 tank of a motor vehicle powered by this fuel, except as prescribed in
3 this chapter, is subject to the penalty provisions of this chapter.

4 **Sec. 4.** RCW 70.120.170 and 1998 c 342 s 4 are each amended to read
5 as follows:

6 (1) The department shall administer a system for emission
7 inspections of all motor vehicles, except those described in RCW
8 46.16.015(2), that are registered within the boundaries of each
9 emission contributing area. Under such system a motor vehicle shall be
10 inspected biennially except where an annual program would be required
11 to meet federal law and prevent federal sanctions. In addition, motor
12 vehicles shall be inspected at each change of registered owner of a
13 licensed vehicle as provided under RCW 46.16.015.

14 (2) The director shall:

15 (a) Adopt procedures for conducting emission inspections of motor
16 vehicles. The inspections may include idle and high revolution per
17 minute emission tests. The emission test for diesel vehicles shall
18 consist solely of a smoke opacity test.

19 (b) Adopt criteria for calibrating emission testing equipment.
20 Electronic equipment used to test for emissions standards provided for
21 in this chapter shall be properly calibrated. The department shall
22 examine frequently the calibration of the emission testing equipment
23 used at the stations.

24 (c) Authorize, through contracts, the establishment and operation
25 of inspection stations for conducting vehicle emission inspections
26 authorized in this chapter. No person contracted to inspect motor
27 vehicles may perform for compensation repairs on any vehicles. No
28 public body may establish or operate contracted inspection stations.
29 Any contracts must be let in accordance with the procedures established
30 for competitive bids in chapter 43.19 RCW.

31 (3) Subsection (2)(c) of this section does not apply to volunteer
32 motor vehicle inspections under RCW 70.120.020(1) if the inspections
33 are conducted for the following purposes:

34 (a) Auditing;

35 (b) Contractor evaluation;

36 (c) Collection of data for establishing calibration and performance
37 standards; or

38 (d) Public information and education.

1 (4)(a) The director shall establish by rule the fee to be charged
2 for emission inspections. The inspection fee shall be a standard fee
3 applicable state-wide or throughout an emission contributing area and
4 shall be no greater than fifteen dollars. Surplus moneys collected
5 from fees over the amount due the contractor shall be paid to the state
6 and deposited in the general fund, except that fees collected for the
7 inspection of emissions from motor vehicles that are six, seven, or
8 eight years old shall be deposited in the air pollution control account
9 established under RCW 70.94.015. Fees shall be set at the minimum
10 whole dollar amount required to (i) compensate the contractor or
11 inspection facility owner, and (ii) offset the general fund
12 appropriation to the department to cover the administrative costs of
13 the motor vehicle emission inspection program.

14 (b) Before each inspection, a person whose motor vehicle is to be
15 inspected shall pay to the inspection station the fee established under
16 this section. The person whose motor vehicle is inspected shall
17 receive the results of the inspection. If the inspected vehicle
18 complies with the standards established by the director, the person
19 shall receive a dated certificate of compliance. If the inspected
20 vehicle does not comply with those standards, one reinspection of the
21 vehicle shall be afforded without charge.

22 (5) All units of local government and agencies of the state with
23 motor vehicles garaged or regularly operated in an emissions
24 contributing area shall test the emissions of those vehicles annually
25 to ensure that the vehicle's emissions comply with the emission
26 standards established by the director. All state agencies outside of
27 emission contributing areas with more than twenty motor vehicles housed
28 at a single facility or contiguous facilities shall test the emissions
29 of those vehicles annually to ensure that the vehicles' emissions
30 comply with standards established by the director. A report of the
31 results of the tests shall be submitted to the department.

32 **Sec. 5.** RCW 70.94.015 and 1998 c 321 s 33 (Referendum Bill No. 49)
33 are each amended to read as follows:

34 (1) The air pollution control account is established in the state
35 treasury. All receipts collected by or on behalf of the department
36 from RCW 70.94.151(2), and receipts from nonpermit program sources
37 under RCW 70.94.152(1) and 70.94.154(7), and all receipts from RCW
38 70.94.650(~~(7)~~) and 70.94.660(~~(7-82.44.020(2), and 82.50.405)~~) shall be

1 deposited into the account. Moneys in the account may be spent only
2 after appropriation. Expenditures from the account may be used only to
3 develop and implement the provisions of chapters 70.94 and 70.120 RCW.

4 (2) The amounts collected and allocated in accordance with this
5 section shall be expended upon appropriation except as otherwise
6 provided in this section and in accordance with the following
7 limitations:

8 Portions of moneys received by the department of ecology from the
9 air pollution control account shall be distributed by the department to
10 local authorities based on:

11 (a) The level and extent of air quality problems within such
12 authority's jurisdiction;

13 (b) The costs associated with implementing air pollution regulatory
14 programs by such authority; and

15 (c) The amount of funding available to such authority from other
16 sources, whether state, federal, or local, that could be used to
17 implement such programs.

18 (3) The money deposited in this account from the fees charged for
19 inspection of emissions under RCW 70.120.170 for motor vehicles that
20 are six, seven, or eight years old shall be distributed to local air
21 agencies and may only be expended as matching grants for the funding of
22 infrastructure necessary for the retail sale of clean fuels. For
23 purposes of this section, "clean fuels" means alternatives to ordinary
24 gasoline or diesel fuel that do not exceed the emission standards for
25 passenger cars and light duty trucks as provided in the federal clean
26 air act amendments of 1990 (42 U.S.C. 7583).

27 (4) The air operating permit account is created in the custody of
28 the state treasurer. All receipts collected by or on behalf of the
29 department from permit program sources under RCW 70.94.152(1),
30 70.94.161, 70.94.162, and 70.94.154(7) shall be deposited into the
31 account. Expenditures from the account may be used only for the
32 activities described in RCW 70.94.152(1), 70.94.161, 70.94.162, and
33 70.94.154(7). Moneys in the account may be spent only after
34 appropriation.

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