

2SHB 1481 - S COMM AMD

By Committee on Ways & Means

ADOPTED 04/22/2009

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds the development of
4 electric vehicle infrastructure to be a critical step in creating jobs,
5 fostering economic growth, reducing greenhouse gas emissions, reducing
6 our reliance on foreign fuels, and reducing the pollution of Puget
7 Sound attributable to the operation of petroleum-based vehicles on
8 streets and highways. Limited driving distance between battery charges
9 is a fundamental disadvantage and obstacle to broad consumer adoption
10 of vehicles powered by electricity. In order to eliminate this
11 fundamental disadvantage and dramatically increase consumer acceptance
12 and usage of electric vehicles, it is essential that an infrastructure
13 of convenient electric vehicle charging opportunities be developed.
14 The purpose of this act is to encourage the transition to electric
15 vehicle use and to expedite the establishment of a convenient, cost-
16 effective, electric vehicle infrastructure that such a transition
17 necessitates. The state's success in encouraging this transition will
18 serve as an economic stimulus to the creation of short-term and long-
19 term jobs as the entire automobile industry and its associated direct
20 and indirect jobs transform over time from combustion to electric
21 vehicles.

22 NEW SECTION. **Sec. 2.** (1) A regional transportation planning
23 organization containing any county with a population in excess of one
24 million in collaboration with representatives from the department of
25 ecology, the department of community, trade, and economic development,
26 local governments, and the office of regulatory assistance must seek
27 federal or private funding for the planning for, deployment of, or
28 regulations concerning electric vehicle infrastructure. These efforts
29 should include:

1 (a) Development of short-term and long-term plans outlining how
2 state, regional, and local government construction may include electric
3 vehicle infrastructure in publicly available off-street parking and
4 government fleet vehicle parking, including what ratios of charge spots
5 to parking may be appropriate based on location or type of facility or
6 building;

7 (b) Consultations with the state building code council and the
8 department of labor and industries to coordinate the plans with state
9 standards for new residential, commercial, and industrial buildings to
10 ensure that the appropriate electric circuitry is installed to support
11 electric vehicle infrastructure;

12 (c) Consultation with the workforce development council and the
13 higher education coordinating board to ensure the development of
14 appropriate educational and training opportunities for citizens of the
15 state in support of the transition of some portion of vehicular
16 transportation from combustion to electric vehicles;

17 (d) Development of an implementation plan for counties with a
18 population greater than five hundred thousand with the goal of having
19 public and private parking spaces, in the aggregate, be ten percent
20 electric vehicle ready by December 31, 2018; and

21 (e) Development of model ordinances and guidance for local
22 governments for siting and installing electric vehicle infrastructure,
23 in particular battery charging stations, and appropriate handling,
24 recycling, and storage of electric vehicle batteries and equipment.

25 (2) These plans and any recommendations developed as a result of
26 the consultations required by this section must be submitted to the
27 legislature by December 31, 2010, or as soon as reasonably practicable
28 after the securing of any federal or private funding. Priority will be
29 given to the activities in subsection (1)(e) of this section and any
30 ordinances or guidance that is developed will be submitted to the
31 legislature, the department of community, trade, and economic
32 development, and affected local governments prior to December 31, 2010,
33 if completed.

34 (3) The definitions in this subsection apply through this section
35 unless the context clearly requires otherwise.

36 (a) "Battery charging station" means an electrical component
37 assembly or cluster of component assemblies designed specifically to

1 charge batteries within electric vehicles, which meet or exceed any
2 standards, codes, and regulations set forth by chapter 19.28 RCW and
3 consistent with rules adopted under section 16 of this act.

4 (b) "Battery exchange station" means a fully automated facility
5 that will enable an electric vehicle with a swappable battery to enter
6 a drive lane and exchange the depleted battery with a fully charged
7 battery through a fully automated process, which meets or exceeds any
8 standards, codes, and regulations set forth by chapter 19.28 RCW and
9 consistent with rules adopted under section 16 of this act.

10 (c) "Electric vehicle infrastructure" means structures, machinery,
11 and equipment necessary and integral to support an electric vehicle,
12 including battery charging stations, rapid charging stations, and
13 battery exchange stations.

14 (d) "Rapid charging station" means an industrial grade electrical
15 outlet that allows for faster recharging of electric vehicle batteries
16 through higher power levels, which meets or exceeds any standards,
17 codes, and regulations set forth by chapter 19.28 RCW and consistent
18 with rules adopted under section 16 of this act.

19 NEW SECTION. **Sec. 3.** A new section is added to chapter 82.29A RCW
20 to read as follows:

21 (1) Leasehold excise tax may not be imposed on leases to tenants of
22 public lands for purposes of installing, maintaining, and operating
23 electric vehicle infrastructure.

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

26 (a) "Battery charging station" means an electrical component
27 assembly or cluster of component assemblies designed specifically to
28 charge batteries within electric vehicles, which meet or exceed any
29 standards, codes, and regulations set forth by chapter 19.28 RCW and
30 consistent with rules adopted under section 16 of this act.

31 (b) "Battery exchange station" means a fully automated facility
32 that will enable an electric vehicle with a swappable battery to enter
33 a drive lane and exchange the depleted battery with a fully charged
34 battery through a fully automated process, which meets or exceeds any
35 standards, codes, and regulations set forth by chapter 19.28 RCW and
36 consistent with rules adopted under section 16 of this act.

1 (c) "Electric vehicle infrastructure" means structures, machinery,
2 and equipment necessary and integral to support an electric vehicle,
3 including battery charging stations, rapid charging stations, and
4 battery exchange stations.

5 (d) "Rapid charging station" means an industrial grade electrical
6 outlet that allows for faster recharging of electric vehicle batteries
7 through higher power levels, which meets or exceeds any standards,
8 codes, and regulations set forth by chapter 19.28 RCW and consistent
9 with rules adopted under section 16 of this act.

10 (3) This section expires January 1, 2020.

11 NEW SECTION. **Sec. 4.** A new section is added to chapter 82.08 RCW
12 to read as follows:

13 (1) The tax imposed by RCW 82.08.020 does not apply to:

14 (a) The sale of batteries for electric vehicles;

15 (b) The sale of or charge made for labor and services rendered in
16 respect to installing, repairing, altering, or improving electric
17 vehicle batteries;

18 (c) The sale of or charge made for labor and services rendered in
19 respect to installing, constructing, repairing, or improving electric
20 vehicle infrastructure; and

21 (d) The sale of tangible personal property that will become a
22 component of electric vehicle infrastructure during the course of
23 installing, constructing, repairing, or improving electric vehicle
24 infrastructure.

25 (2) Sellers may make tax exempt sales under this section only if
26 the buyer provides the seller with an exemption certification in a form
27 and manner prescribed by the department. The seller must retain a copy
28 of the certificate for the seller's files.

29 (3) The definitions in this subsection apply throughout this
30 section unless the context clearly requires otherwise.

31 (a) "Battery charging station" means an electrical component
32 assembly or cluster of component assemblies designed specifically to
33 charge batteries within electric vehicles, which meet or exceed any
34 standards, codes, and regulations set forth by chapter 19.28 RCW and
35 consistent with rules adopted under section 16 of this act.

36 (b) "Battery exchange station" means a fully automated facility
37 that will enable an electric vehicle with a swappable battery to enter

1 a drive lane and exchange the depleted battery with a fully charged
2 battery through a fully automated process, which meets or exceeds any
3 standards, codes, and regulations set forth by chapter 19.28 RCW and
4 consistent with rules adopted under section 16 of this act.

5 (c) "Electric vehicle infrastructure" means structures, machinery,
6 and equipment necessary and integral to support an electric vehicle,
7 including battery charging stations, rapid charging stations, and
8 battery exchange stations.

9 (d) "Rapid charging station" means an industrial grade electrical
10 outlet that allows for faster recharging of electric vehicle batteries
11 through higher power levels, which meets or exceeds any standards,
12 codes, and regulations set forth by chapter 19.28 RCW and consistent
13 with rules adopted under section 16 of this act.

14 (4) This section expires January 1, 2020.

15 NEW SECTION. **Sec. 5.** A new section is added to chapter 82.12 RCW
16 to read as follows:

17 (1) The tax imposed by RCW 82.12.020 does not apply to the use of:

18 (a) Electric vehicle batteries;

19 (b) Labor and services rendered in respect to installing,
20 repairing, altering, or improving electric vehicle batteries; and

21 (c) Tangible personal property that will become a component of
22 electric vehicle infrastructure during the course of installing,
23 constructing, repairing, or improving electric vehicle infrastructure.

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

26 (a) "Battery charging station" means an electrical component
27 assembly or cluster of component assemblies designed specifically to
28 charge batteries within electric vehicles, which meet or exceed any
29 standards, codes, and regulations set forth by chapter 19.28 RCW and
30 consistent with rules adopted under section 16 of this act.

31 (b) "Battery exchange station" means a fully automated facility
32 that will enable an electric vehicle with a swappable battery to enter
33 a drive lane and exchange the depleted battery with a fully charged
34 battery through a fully automated process, which meets or exceeds any
35 standards, codes, and regulations set forth by chapter 19.28 RCW and
36 consistent with rules adopted under section 16 of this act.

1 (c) "Electric vehicle infrastructure" means structures, machinery,
2 and equipment necessary and integral to support an electric vehicle,
3 including battery charging stations, rapid charging stations, and
4 battery exchange stations.

5 (d) "Rapid charging station" means an industrial grade electrical
6 outlet that allows for faster recharging of electric vehicle batteries
7 through higher power levels, which meets or exceeds any standards,
8 codes, and regulations set forth by chapter 19.28 RCW and consistent
9 with rules adopted under section 16 of this act.

10 (3) This section expires January 1, 2020.

11 NEW SECTION. **Sec. 6.** A new section is added to chapter 79.13 RCW
12 under the subchapter heading "general provisions" to read as follows:

13 (1) The state and any local government, including any housing
14 authority, is authorized to lease land owned by such an entity to any
15 person for purposes of installing, maintaining, and operating a battery
16 charging station, a battery exchange station, or a rapid charging
17 station, for a term not in excess of fifty years, for rent of not less
18 than one dollar per year, and with such other terms as the public
19 entity's governing body determines in its sole discretion.

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

22 (a) "Battery charging station" means an electrical component
23 assembly or cluster of component assemblies designed specifically to
24 charge batteries within electric vehicles, which meet or exceed any
25 standards, codes, and regulations set forth by chapter 19.28 RCW and
26 consistent with rules adopted under section 16 of this act.

27 (b) "Battery exchange station" means a fully automated facility
28 that will enable an electric vehicle with a swappable battery to enter
29 a drive lane and exchange the depleted battery with a fully charged
30 battery through a fully automated process, which meets or exceeds any
31 standards, codes, and regulations set forth by chapter 19.28 RCW and
32 consistent with rules adopted under section 16 of this act.

33 (c) "Electric vehicle infrastructure" means structures, machinery,
34 and equipment necessary and integral to support an electric vehicle,
35 including battery charging stations, rapid charging stations, and
36 battery exchange stations.

1 (d) "Rapid charging station" means an industrial grade electrical
2 outlet that allows for faster recharging of electric vehicle batteries
3 through higher power levels, which meets or exceeds any standards,
4 codes, and regulations set forth by chapter 19.28 RCW and consistent
5 with rules adopted under section 16 of this act.

6 **Sec. 7.** RCW 43.19.648 and 2007 c 348 s 202 are each amended to
7 read as follows:

8 (1) Effective June 1, 2015, all state agencies and local government
9 subdivisions of the state, to the extent determined practicable by the
10 rules adopted by the department of community, trade, and economic
11 development pursuant to RCW 43.325.080, are required to satisfy one
12 hundred percent of their fuel usage for operating publicly owned
13 vessels, vehicles, and construction equipment from electricity or
14 biofuel.

15 (2) In order to phase in this transition for the state, all state
16 agencies, to the extent determined practicable by the department of
17 community, trade, and economic development by rules adopted pursuant to
18 RCW 43.325.080, are required to achieve forty percent fuel usage for
19 operating publicly owned vessels, vehicles, and construction equipment
20 from electricity or biofuel by June 1, 2013. The department of general
21 administration, in consultation with the department of community,
22 trade, and economic development, shall report to the governor and the
23 legislature by December 1, 2013, on what percentage of the state's fuel
24 usage is from electricity or biofuel.

25 (3) Except for cars owned or operated by the Washington state
26 patrol, when tires on vehicles in the state's motor vehicle fleet are
27 replaced, they must be replaced with tires that have the same or better
28 rolling resistance as the original tires.

29 (4) By December 31, 2015, the state must, to the extent
30 practicable, install electrical outlets capable of charging electric
31 vehicles in each of the state's fleet parking and maintenance
32 facilities.

33 (5) The department of transportation's obligations under subsection
34 (2) of this section are subject to the availability of amounts
35 appropriated for the specific purpose identified in subsection (2) of
36 this section.

1 (6) The department of transportation's obligations under subsection
2 (4) of this section are subject to the availability of amounts
3 appropriated for the specific purpose identified in subsection (4) of
4 this section unless the department receives federal or private funds
5 for the specific purpose identified in subsection (4) of this section.

6 (7) The definitions in this subsection apply throughout this
7 section unless the context clearly requires otherwise.

8 (a) "Battery charging station" means an electrical component
9 assembly or cluster of component assemblies designed specifically to
10 charge batteries within electric vehicles, which meet or exceed any
11 standards, codes, and regulations set forth by chapter 19.28 RCW and
12 consistent with rules adopted under section 16 of this act.

13 (b) "Battery exchange station" means a fully automated facility
14 that will enable an electric vehicle with a swappable battery to enter
15 a drive lane and exchange the depleted battery with a fully charged
16 battery through a fully automated process, which meets or exceeds any
17 standards, codes, and regulations set forth by chapter 19.28 RCW and
18 consistent with rules adopted under section 16 of this act.

19 NEW SECTION. Sec. 8. A new section is added to chapter 43.21C RCW
20 to read as follows:

21 (1) The installation of individual battery charging stations and
22 battery exchange stations, which individually are categorically exempt
23 under the rules adopted under RCW 43.21C.110, may not be disqualified
24 from such categorically exempt status as a result of their being parts
25 of a larger proposal that includes other such facilities and related
26 utility networks under the rules adopted under RCW 43.21C.110.

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

29 (a) "Battery charging station" means an electrical component
30 assembly or cluster of component assemblies designed specifically to
31 charge batteries within electric vehicles, which meet or exceed any
32 standards, codes, and regulations set forth by chapter 19.28 RCW and
33 consistent with rules adopted under section 16 of this act.

34 (b) "Battery exchange station" means a fully automated facility
35 that will enable an electric vehicle with a swappable battery to enter
36 a drive lane and exchange the depleted battery with a fully charged

1 battery through a fully automated process, which meets or exceeds any
2 standards, codes, and regulations set forth by chapter 19.28 RCW and
3 consistent with rules adopted under section 16 of this act.

4 NEW SECTION. **Sec. 9.** A new section is added to chapter 35.63 RCW
5 to read as follows:

6 (1) By July 1, 2010, the development regulations of any
7 jurisdiction:

8 (a) Adjacent to Interstate 5, Interstate 90, Interstate 405, or
9 state route number 520, with a population over twenty thousand, and
10 located in a county with a population over one million five hundred
11 thousand; or

12 (b) Adjacent to Interstate 5 and located in a county with a
13 population greater than six hundred thousand; or

14 (c) Adjacent to Interstate 5 and located in a county with a state
15 capitol within its borders;

16 planning under this chapter must allow electric vehicle infrastructure
17 as a use in all areas except those zoned for residential or resource
18 use or critical areas. A jurisdiction may adopt and apply other
19 development regulations that do not have the effect of precluding the
20 siting of electric vehicle infrastructure in areas where that use is
21 allowed.

22 (2) By July 1, 2011, or six months after the distribution required
23 under section 18 of this act occurs, whichever is later, the
24 development regulations of any jurisdiction adjacent to Interstate 5,
25 Interstate 90, Interstate 405, or state route number 520 planning under
26 this chapter must allow electric vehicle infrastructure as a use in all
27 areas except those zoned for residential or resource use or critical
28 areas. A jurisdiction may adopt and apply other development
29 regulations that do not have the effect of precluding the siting of
30 electric vehicle infrastructure in areas where that use is allowed.

31 (3) By July 1, 2011, or six months after the distribution required
32 under section 18 of this act occurs, whichever is later, the
33 development regulations of any jurisdiction planning under this chapter
34 must allow battery charging stations as a use in all areas except those
35 zoned for residential or resource use or critical areas. A
36 jurisdiction may adopt and apply other development regulations that do

1 not have the effect of precluding the siting of electric vehicle
2 infrastructure in areas where that use is allowed.

3 (4) Cities are authorized to adopt incentive programs to encourage
4 the retrofitting of existing structures with the electrical outlets
5 capable of charging electric vehicles. Incentives may include bonus
6 height, site coverage, floor area ratio, and transferable development
7 rights for use in urban growth areas.

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

10 (a) "Battery charging station" means an electrical component
11 assembly or cluster of component assemblies designed specifically to
12 charge batteries within electric vehicles, which meet or exceed any
13 standards, codes, and regulations set forth by chapter 19.28 RCW and
14 consistent with rules adopted under section 16 of this act.

15 (b) "Battery exchange station" means a fully automated facility
16 that will enable an electric vehicle with a swappable battery to enter
17 a drive lane and exchange the depleted battery with a fully charged
18 battery through a fully automated process, which meets or exceeds any
19 standards, codes, and regulations set forth by chapter 19.28 RCW and
20 consistent with rules adopted under section 16 of this act.

21 (c) "Electric vehicle infrastructure" means structures, machinery,
22 and equipment necessary and integral to support an electric vehicle,
23 including battery charging stations, rapid charging stations, and
24 battery exchange stations.

25 (d) "Rapid charging station" means an industrial grade electrical
26 outlet that allows for faster recharging of electric vehicle batteries
27 through higher power levels, which meets or exceeds any standards,
28 codes, and regulations set forth by chapter 19.28 RCW and consistent
29 with rules adopted under section 16 of this act.

30 (6) If federal funding for public investment in electric vehicles,
31 electric vehicle infrastructure, or alternative fuel distribution
32 infrastructure is not provided by February 1, 2010, subsection (1) of
33 this section is null and void.

34 NEW SECTION. **Sec. 10.** A new section is added to chapter 35A.63
35 RCW to read as follows:

36 (1) By July 1, 2010, the development regulations of any
37 jurisdiction:

1 (a) Adjacent to Interstate 5, Interstate 90, Interstate 405, or
2 state route number 520, with a population over twenty thousand, and
3 located in a county with a population over one million five hundred
4 thousand; or

5 (b) Adjacent to Interstate 5 and located in a county with a
6 population greater than six hundred thousand; or

7 (c) Adjacent to Interstate 5 and located in a county with a state
8 capitol within its borders;

9 planning under this chapter must allow electric vehicle infrastructure
10 as a use in all areas except those zoned for residential or resource
11 use or critical areas. A jurisdiction may adopt and apply other
12 development regulations that do not have the effect of precluding the
13 siting of electric vehicle infrastructure in areas where that use is
14 allowed.

15 (2) By July 1, 2011, or six months after the distribution required
16 under section 18 of this act occurs, whichever is later, the
17 development regulations of any jurisdiction adjacent to Interstate 5,
18 Interstate 90, Interstate 405, or state route number 520 planning under
19 this chapter must allow electric vehicle infrastructure as a use in all
20 areas except those zoned for residential or resource use or critical
21 areas. A jurisdiction may adopt and apply other development
22 regulations that do not have the effect of precluding the siting of
23 electric vehicle infrastructure in areas where that use is allowed.

24 (3) By July 1, 2011, or six months after the distribution required
25 under section 18 of this act occurs, whichever is later, the
26 development regulations of any jurisdiction planning under this chapter
27 must allow battery charging stations as a use in all areas except those
28 zoned for residential or resource use or critical areas. A
29 jurisdiction may adopt and apply other development regulations that do
30 not have the effect of precluding the siting of electric vehicle
31 infrastructure in areas where that use is allowed.

32 (4) Cities are authorized to adopt incentive programs to encourage
33 the retrofitting of existing structures with the electrical outlets
34 capable of charging electric vehicles. Incentives may include bonus
35 height, site coverage, floor area ratio, and transferable development
36 rights for use in urban growth areas.

37 (5) The definitions in this subsection apply throughout this
38 section unless the context clearly requires otherwise.

1 (a) "Battery charging station" means an electrical component
2 assembly or cluster of component assemblies designed specifically to
3 charge batteries within electric vehicles, which meet or exceed any
4 standards, codes, and regulations set forth by chapter 19.28 RCW and
5 consistent with rules adopted under section 16 of this act.

6 (b) "Battery exchange station" means a fully automated facility
7 that will enable an electric vehicle with a swappable battery to enter
8 a drive lane and exchange the depleted battery with a fully charged
9 battery through a fully automated process, which meets or exceeds any
10 standards, codes, and regulations set forth by chapter 19.28 RCW and
11 consistent with rules adopted under section 16 of this act.

12 (c) "Electric vehicle infrastructure" means structures, machinery,
13 and equipment necessary and integral to support an electric vehicle,
14 including battery charging stations, rapid charging stations, and
15 battery exchange stations.

16 (d) "Rapid charging station" means an industrial grade electrical
17 outlet that allows for faster recharging of electric vehicle batteries
18 through higher power levels, which meets or exceeds any standards,
19 codes, and regulations set forth by chapter 19.28 RCW and consistent
20 with rules adopted under section 16 of this act.

21 (6) If federal funding for public investment in electric vehicles,
22 electric vehicle infrastructure, or alternative fuel distribution
23 infrastructure is not provided by February 1, 2010, subsection (1) of
24 this section is null and void.

25 NEW SECTION. **Sec. 11.** A new section is added to chapter 36.70 RCW
26 to read as follows:

27 (1) By July 1, 2010, the development regulations of any
28 jurisdiction with a population over six hundred thousand or with a
29 state capitol within its borders planning under this chapter must allow
30 electric vehicle infrastructure as a use in all areas within one mile
31 of Interstate 5, Interstate 90, Interstate 405, or state route number
32 520, except those zoned for residential or resource use or critical
33 areas. A jurisdiction may adopt and apply other development
34 regulations that do not have the effect of precluding the siting of
35 electric vehicle infrastructure in areas where that use is allowed.

36 (2) By July 1, 2011, or six months after the distribution required
37 under section 18 of this act occurs, whichever is later, the

1 development regulations of any jurisdiction planning under this chapter
2 must allow electric vehicle infrastructure as a use in all areas within
3 one mile of Interstate 5, Interstate 90, Interstate 405, or state route
4 number 520, except those zoned for residential or resource use or
5 critical areas. A jurisdiction may adopt and apply other development
6 regulations that do not have the effect of precluding the siting of
7 electric vehicle infrastructure in areas where that use is allowed.

8 (3) By July 1, 2011, or six months after the distribution required
9 under section 18 of this act occurs, whichever is later, the
10 development regulations of any jurisdiction planning under this chapter
11 must allow battery charging stations as a use in all areas except those
12 zoned for residential or resource use or critical areas. A
13 jurisdiction may adopt and apply other development regulations that do
14 not have the effect of precluding the siting of electric vehicle
15 infrastructure in areas where that use is allowed.

16 (4) Counties are authorized to adopt incentive programs to
17 encourage the retrofitting of existing structures with the electrical
18 outlets capable of charging electric vehicles. Incentives may include
19 bonus height, site coverage, floor area ratio, and transferable
20 development rights for use in urban growth areas.

21 (5) The definitions in this subsection apply throughout this
22 section unless the context clearly requires otherwise.

23 (a) "Battery charging station" means an electrical component
24 assembly or cluster of component assemblies designed specifically to
25 charge batteries within electric vehicles, which meet or exceed any
26 standards, codes, and regulations set forth by chapter 19.28 RCW and
27 consistent with rules adopted under section 16 of this act.

28 (b) "Battery exchange station" means a fully automated facility
29 that will enable an electric vehicle with a swappable battery to enter
30 a drive lane and exchange the depleted battery with a fully charged
31 battery through a fully automated process, which meets or exceeds any
32 standards, codes, and regulations set forth by chapter 19.28 RCW and
33 consistent with rules adopted under section 16 of this act.

34 (c) "Electric vehicle infrastructure" means structures, machinery,
35 and equipment necessary and integral to support an electric vehicle,
36 including battery charging stations, rapid charging stations, and
37 battery exchange stations.

1 (d) "Rapid charging station" means an industrial grade electrical
2 outlet that allows for faster recharging of electric vehicle batteries
3 through higher power levels, which meets or exceeds any standards,
4 codes, and regulations set forth by chapter 19.28 RCW and consistent
5 with rules adopted under section 16 of this act.

6 (6) If federal funding for public investment in electric vehicles,
7 electric vehicle infrastructure, or alternative fuel distribution
8 infrastructure is not provided by February 1, 2010, subsection (1) of
9 this section is null and void.

10 NEW SECTION. **Sec. 12.** A new section is added to chapter 36.70A
11 RCW to read as follows:

12 (1) By July 1, 2010, the development regulations of any
13 jurisdiction:

14 (a) Adjacent to Interstate 5, Interstate 90, Interstate 405, or
15 state route number 520, with a population over twenty thousand, and
16 located in a county with a population over one million five hundred
17 thousand; or

18 (b) Adjacent to Interstate 5 and located in a county with a
19 population greater than six hundred thousand; or

20 (c) Adjacent to Interstate 5 and located in a county with a state
21 capitol within its borders;

22 planning under this chapter must allow electric vehicle infrastructure
23 as a use in all areas except those zoned for residential or resource
24 use or critical areas. A jurisdiction may adopt and apply other
25 development regulations that do not have the effect of precluding the
26 siting of electric vehicle infrastructure in areas where that use is
27 allowed.

28 (2) By July 1, 2011, or six months after the distribution required
29 under section 18 of this act occurs, whichever is later, the
30 development regulations of any jurisdiction adjacent to Interstate 5,
31 Interstate 90, Interstate 405, or state route number 520 planning under
32 this chapter must allow electric vehicle infrastructure as a use in all
33 areas except those zoned for residential or resource use or critical
34 areas. A jurisdiction may adopt and apply other development
35 regulations that do not have the effect of precluding the siting of
36 electric vehicle infrastructure in areas where that use is allowed.

1 (3) By July 1, 2011, or six months after the distribution required
2 under section 18 of this act occurs, whichever is later, the
3 development regulations of any jurisdiction planning under this chapter
4 must allow battery charging stations as a use in all areas except those
5 zoned for residential or resource use or critical areas. A
6 jurisdiction may adopt and apply other development regulations that do
7 not have the effect of precluding the siting of electric vehicle
8 infrastructure in areas where that use is allowed.

9 (4) Cities are authorized to adopt incentive programs to encourage
10 the retrofitting of existing structures with the electrical outlets
11 capable of charging electric vehicles. Incentives may include bonus
12 height, site coverage, floor area ratio, and transferable development
13 rights for use in urban growth areas.

14 (5) The definitions in this subsection apply throughout this
15 section unless the context clearly requires otherwise.

16 (a) "Battery charging station" means an electrical component
17 assembly or cluster of component assemblies designed specifically to
18 charge batteries within electric vehicles, which meet or exceed any
19 standards, codes, and regulations set forth by chapter 19.28 RCW and
20 consistent with rules adopted under section 16 of this act.

21 (b) "Battery exchange station" means a fully automated facility
22 that will enable an electric vehicle with a swappable battery to enter
23 a drive lane and exchange the depleted battery with a fully charged
24 battery through a fully automated process, which meets or exceeds any
25 standards, codes, and regulations set forth by chapter 19.28 RCW and
26 consistent with rules adopted under section 16 of this act.

27 (c) "Electric vehicle infrastructure" means structures, machinery,
28 and equipment necessary and integral to support an electric vehicle,
29 including battery charging stations, rapid charging stations, and
30 battery exchange stations.

31 (d) "Rapid charging station" means an industrial grade electrical
32 outlet that allows for faster recharging of electric vehicle batteries
33 through higher power levels, which meets or exceeds any standards,
34 codes, and regulations set forth by chapter 19.28 RCW and consistent
35 with rules adopted under section 16 of this act.

36 (6) If federal funding for public investment in electric vehicles,
37 electric vehicle infrastructure, or alternative fuel distribution

1 infrastructure is not provided by February 1, 2010, subsection (1) of
2 this section is null and void.

3 NEW SECTION. **Sec. 13.** A new section is added to chapter 35.63 RCW
4 to read as follows:

5 (1) By July 1, 2010, the development regulations of any
6 jurisdiction with a population over six hundred thousand or with a
7 state capitol within its borders planning under this chapter must allow
8 electric vehicle infrastructure as a use in all areas within one mile
9 of Interstate 5, Interstate 90, Interstate 405, or state route number
10 520, except those zoned for residential or resource use or critical
11 areas. A jurisdiction may adopt and apply other development
12 regulations that do not have the effect of precluding the siting of
13 electric vehicle infrastructure in areas where that use is allowed.

14 (2) By July 1, 2011, or six months after the distribution required
15 under section 18 of this act occurs, whichever is later, the
16 development regulations of any jurisdiction adjacent to Interstate 5,
17 Interstate 90, Interstate 405, or state route number 520 planning under
18 this chapter must allow electric vehicle infrastructure as a use in all
19 areas except those zoned for residential or resource use or critical
20 areas. A jurisdiction may adopt and apply other development
21 regulations that do not have the effect of precluding the siting of
22 electric vehicle infrastructure in areas where that use is allowed.

23 (3) By July 1, 2011, or six months after the distribution required
24 under section 18 of this act occurs, whichever is later, the
25 development regulations of any jurisdiction planning under this chapter
26 must allow battery charging stations as a use in all areas except those
27 zoned for residential or resource use or critical areas. A
28 jurisdiction may adopt and apply other development regulations that do
29 not have the effect of precluding the siting of electric vehicle
30 infrastructure in areas where that use is allowed.

31 (4) Counties are authorized to adopt incentive programs to
32 encourage the retrofitting of existing structures with the electrical
33 outlets capable of charging electric vehicles. Incentives may include
34 bonus height, site coverage, floor area ratio, and transferable
35 development rights for use in urban growth areas.

36 (5) The definitions in this subsection apply throughout this
37 section unless the context clearly requires otherwise.

1 (a) "Battery charging station" means an electrical component
2 assembly or cluster of component assemblies designed specifically to
3 charge batteries within electric vehicles, which meet or exceed any
4 standards, codes, and regulations set forth by chapter 19.28 RCW and
5 consistent with rules adopted under section 16 of this act.

6 (b) "Battery exchange station" means a fully automated facility
7 that will enable an electric vehicle with a swappable battery to enter
8 a drive lane and exchange the depleted battery with a fully charged
9 battery through a fully automated process, which meets or exceeds any
10 standards, codes, and regulations set forth by chapter 19.28 RCW and
11 consistent with rules adopted under section 16 of this act.

12 (c) "Electric vehicle infrastructure" means structures, machinery,
13 and equipment necessary and integral to support an electric vehicle,
14 including battery charging stations, rapid charging stations, and
15 battery exchange stations.

16 (d) "Rapid charging station" means an industrial grade electrical
17 outlet that allows for faster recharging of electric vehicle batteries
18 through higher power levels, which meets or exceeds any standards,
19 codes, and regulations set forth by chapter 19.28 RCW and consistent
20 with rules adopted under section 16 of this act.

21 (6) If federal funding for public investment in electric vehicles,
22 electric vehicle infrastructure, or alternative fuel distribution
23 infrastructure is not provided by February 1, 2010, subsection (1) of
24 this section is null and void.

25 NEW SECTION. **Sec. 14.** A new section is added to chapter 47.38 RCW
26 to read as follows:

27 (1) As a necessary and desirable step to spur public and private
28 investment in electric vehicle infrastructure in accordance with
29 section 1 of this act, and to begin implementing the provisions of RCW
30 43.19.648, the legislature authorizes an alternative fuels corridor
31 pilot project capable of supporting electric vehicle charging and
32 battery exchange technologies.

33 (2) To the extent permitted under federal programs, rules, or law,
34 the department may enter into partnership agreements with other public
35 and private entities for the use of land and facilities along state
36 routes and within interstate highway rights-of-way for an alternative
37 fuels corridor pilot project. At a minimum, the pilot project must:

1 (a) Limit renewable fuel and vehicle technology offerings to those
2 with a forecasted demand over the next fifteen years and approved by
3 the department;

4 (b) Ensure that a pilot project site does not compete with existing
5 retail businesses in the same geographic area for the provision of the
6 same refueling services, recharging technologies, or other retail
7 commercial activities;

8 (c) Provide existing truck stop operators and retail truck
9 refueling businesses with an absolute right of first refusal over the
10 offering of refueling services to class six trucks with a maximum gross
11 vehicle weight of twenty-six thousand pounds within the same geographic
12 area identified for a possible pilot project site;

13 (d) Reach agreement with the department of services for the blind
14 ensuring that any activities at host sites do not materially affect the
15 revenues forecasted from their vending operations at each site;

16 (e) Regulate the internal rate of return from the partnership,
17 including provisions to reduce or eliminate the level of state support
18 once the partnership attains economic self-sufficiency;

19 (f) Be limited to not more than five locations on state-owned land
20 within federal interstate rights-of-way or state highway rights-of-way
21 in Washington; and

22 (g) Be limited in duration to a term of years reasonably necessary
23 for the partnership to recover the cost of capital investments, plus
24 the regulated internal rate of return.

25 (3) The department is not responsible for providing capital
26 equipment nor operating refueling or recharging services. The
27 department must provide periodic status reports on the pilot project to
28 the office of financial management and the relevant standing committees
29 of the legislature not less than every biennium.

30 (4) The provisions of this section are subject to the availability
31 of existing funds. However, capital improvements under this section
32 must be funded with federal or private funds.

33 NEW SECTION. **Sec. 15.** A new section is added to chapter 47.38 RCW
34 to read as follows:

35 (1) By December 31, 2015, the state must, to the extent
36 practicable, install electrical outlets capable of charging electric
37 vehicles in each state-operated highway rest stop.

1 (2) By December 31, 2015, the state must provide the opportunity to
2 lease space for the limited purpose of installing and operating a
3 battery exchange station or a battery charging station in appropriate
4 state-owned highway rest stops.

5 (3) The department of transportation's obligations under this
6 section are subject to the availability of amounts appropriated for the
7 specific purpose identified in this section, unless the department
8 receives federal or private funds for the specific purpose identified
9 in this section.

10 (4) The definitions in this subsection apply throughout this
11 section unless the context clearly requires otherwise.

12 (a) "Battery charging station" means an electrical component
13 assembly or cluster of component assemblies designed specifically to
14 charge batteries within electric vehicles, which meet or exceed any
15 standards, codes, and regulations set forth by chapter 19.28 RCW and
16 consistent with rules adopted under section 16 of this act.

17 (b) "Battery exchange station" means a fully automated facility
18 that will enable an electric vehicle with a swappable battery to enter
19 a drive lane and exchange the depleted battery with a fully charged
20 battery through a fully automated process, which meets or exceeds any
21 standards, codes, and regulations set forth by chapter 19.28 RCW and
22 consistent with rules adopted under section 16 of this act.

23 NEW SECTION. **Sec. 16.** A new section is added to chapter 19.27 RCW
24 to read as follows:

25 The building code council shall adopt rules for electric vehicle
26 infrastructure requirements. Rules adopted by the state building code
27 council must consider applicable national and international standards
28 and be consistent with rules adopted under section 17 of this act.

29 NEW SECTION. **Sec. 17.** A new section is added to chapter 19.28 RCW
30 to read as follows:

31 The director shall adopt by rule standards for the installation of
32 electric vehicle infrastructure, including all wires and equipment that
33 convey electric current and any equipment to be operated by electric
34 current, in, on, or about buildings or structures. The rules must be
35 consistent with rules adopted under section 16 of this act.

1 NEW SECTION. **Sec. 18.** The department of community, trade, and
2 economic development must distribute to local governments model
3 ordinances, model development regulations, and guidance for local
4 governments for siting and installing electric vehicle infrastructure,
5 and in particular battery charging stations, and appropriate handling,
6 recycling, and storage of electric vehicle batteries and equipment,
7 when available. The model ordinances, model development regulations,
8 and guidance must be developed by a federal or state agency, or
9 nationally recognized organizations with specific expertise in land-use
10 regulations or electric vehicle infrastructure."

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By Committee on Ways & Means

ADOPTED 04/22/2009

11 On page 1, line 1 of the title, after "vehicles;" strike the
12 remainder of the title and insert "amending RCW 43.19.648; adding a new
13 section to chapter 82.29A RCW; adding a new section to chapter 82.08
14 RCW; adding a new section to chapter 82.12 RCW; adding a new section to
15 chapter 79.13 RCW; adding a new section to chapter 43.21C RCW; adding
16 new sections to chapter 35.63 RCW; adding a new section to chapter
17 35A.63 RCW; adding a new section to chapter 36.70 RCW; adding a new
18 section to chapter 36.70A RCW; adding new sections to chapter 47.38
19 RCW; adding a new section to chapter 19.27 RCW; adding a new section to
20 chapter 19.28 RCW; creating new sections; and providing expiration
21 dates."

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