
HOUSE BILL 2609

State of Washington

62nd Legislature

2012 Regular Session

By Representative Takko

Read first time 01/18/12. Referred to Committee on Environment.

1 AN ACT Relating to exempting certain motor vehicles from meeting
2 motor vehicle emission standards; and amending RCW 70.120A.010 and
3 46.16A.060.

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

5 **Sec. 1.** RCW 70.120A.010 and 2010 c 76 s 1 are each amended to read
6 as follows:

7 (1) Pursuant to the federal clean air act, the legislature adopts
8 the California motor vehicle emission standards in Title 13 of the
9 California Code of Regulations, effective January 1, 2005, except as
10 provided in this chapter. The department of ecology shall adopt rules
11 to implement the emission standards of the state of California for
12 passenger cars, light duty trucks, and medium duty passenger vehicles,
13 and shall amend the rules from time to time, to maintain consistency
14 with the California motor vehicle emission standards and 42 U.S.C. Sec.
15 7507 (section 177 of the federal clean air act). Notwithstanding other
16 provisions of this chapter, the department of ecology shall not adopt
17 the zero emission vehicle program regulations contained in Title 13
18 section 1962 of the California Code of Regulations effective January 1,
19 2005. During rule development, the department of ecology shall convene

1 an advisory group composed of industry and consumer group
2 representatives. Any proposed rules or changes to rules shall be
3 subject to review and comment by the advisory group, prior to rule
4 adoption. The order of adoption for the rules required in this section
5 shall include the signature of the governor. The rules shall be
6 effective only for those model years for which the state of Oregon has
7 adopted the California motor vehicle emission standards. This section
8 does not limit the department of ecology's authority to regulate motor
9 vehicle emissions for any other class of vehicle.

10 (2) Motor vehicles with a model year equal to or later than the
11 first model year for which new vehicles sold to Washington state
12 residents are required to comply with California motor vehicle emission
13 standards are exempt from emission inspections under chapter 70.120
14 RCW.

15 (3) The provisions of this chapter do not apply with respect to:

16 (a) The use by a resident of this state of a motor vehicle acquired
17 and used while the resident is a member of the armed services and is
18 stationed outside this state pursuant to military orders; and

19 (b) Motor vehicles purchased by a local police department, county
20 sheriff, fire district, or the Washington state patrol.

21 **Sec. 2.** RCW 46.16A.060 and 2011 c 114 s 6 are each amended to read
22 as follows:

23 (1) The department, county auditor or other agent, or subagent
24 appointed by the director may not issue or renew a motor vehicle
25 registration or change the registered owner of a registered vehicle for
26 any motor vehicle required to be inspected under chapter 70.120 RCW,
27 unless the application for issuance or renewal is: (a) Accompanied by
28 a valid certificate of compliance or a valid certificate of acceptance
29 issued as required under chapter 70.120 RCW; or (b) exempt, as
30 described in subsection (2) of this section. The certificates must
31 have a date of validation that is within twelve months of the assigned
32 registration renewal date. Certificates for fleet or owner tested
33 diesel vehicles may have a date of validation that is within twelve
34 months of the assigned registration renewal date.

35 (2) The following motor vehicles are exempt from emission test
36 requirements:

- 1 (a) Motor vehicles that are less than five years old or more than
2 twenty-five years old;
- 3 (b) Motor vehicles that are a 2009 model year or newer;
- 4 (c) Motor vehicles powered exclusively by electricity, propane,
5 compressed natural gas, or liquid petroleum gas;
- 6 (d) Motorcycles as defined in RCW 46.04.330 and motor-driven cycles
7 as defined in RCW 46.04.332;
- 8 (e) Farm vehicles as defined in RCW 46.04.181;
- 9 (f) Street rod vehicles as defined in RCW 46.04.572 and custom
10 vehicles as defined in RCW 46.04.161;
- 11 (g) Used vehicles that are offered for sale by a motor vehicle
12 dealer licensed under chapter 46.70 RCW;
- 13 (h) Classes of motor vehicles exempted by the director of the
14 department of ecology; and
- 15 (i) Hybrid motor vehicles that obtain a rating by the environmental
16 protection agency of at least fifty miles per gallon of gas during city
17 driving. For purposes of this section, a hybrid motor vehicle is one
18 that uses propulsion units powered by both electricity and gas.
- 19 (3) The department of ecology shall provide information to motor
20 vehicle owners:
- 21 (a) Regarding the boundaries of emission contributing areas and
22 restrictions established under this section that apply to vehicles
23 registered in such areas; and
- 24 (b) On the relationship between motor vehicles and air pollution
25 and steps motor vehicle owners should take to reduce motor vehicle
26 related air pollution.
- 27 (4) The department of licensing shall:
- 28 (a) Notify all registered motor vehicle owners affected by the
29 emission testing program that they must have an emission test to renew
30 their registration;
- 31 (b) Adopt rules implementing and enforcing this section, except for
32 subsection (2)(e) of this section, as specified in chapter 34.05 RCW.
- 33 (5) A motor vehicle may not be registered, leased, rented, or sold
34 for use in the state, starting with the model year as provided in RCW
35 70.120A.010, unless the vehicle:
- 36 (a) Has seven thousand five hundred miles or more; (~~or~~)
- 37 (b) Is a motor vehicle purchased by a local police department,
38 county sheriff, fire district, or the Washington state patrol; or

1 (c)(i) Is consistent with the vehicle emission standards and carbon
2 dioxide equivalent emission standards adopted by the department of
3 ecology; and

4 (ii) Has a California certification label for all emission
5 standards, and carbon dioxide equivalent emission standards necessary
6 to meet fleet average requirements.

7 (6) The department of licensing, in consultation with the
8 department of ecology, may adopt rules necessary to implement this
9 section and may provide for reasonable exemptions to these
10 requirements. The department of ecology may exempt public safety
11 vehicles from meeting the standards where the department finds that
12 vehicles necessary to meet the needs of public safety agencies are not
13 otherwise reasonably available.

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