

ESB 5099 - H COMM AMD
By Committee on Environment

ADOPTED 04/17/2013

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

3 "Sec. 1. RCW 43.19.648 and 2012 c 171 s 1 are each amended to read
4 as follows:

5 (1) Effective June 1, 2015, all state agencies, to the extent
6 determined practicable by the rules adopted by the department of
7 commerce pursuant to RCW 43.325.080, are required to satisfy one
8 hundred percent of their fuel usage for operating publicly owned
9 vessels, vehicles, and construction equipment from electricity or
10 biofuel. Compressed natural gas, liquefied natural gas, or propane may
11 be substituted for electricity or biofuel if the department of commerce
12 determines that electricity and biofuel are not reasonably available.

13 (2)(a) Effective June 1, 2018, all local government subdivisions of
14 the state, to the extent determined practicable by the rules adopted by
15 the department of commerce pursuant to RCW 43.325.080, are required to
16 satisfy one hundred percent of their fuel usage for operating publicly
17 owned vessels, vehicles, and construction equipment from electricity or
18 biofuel. The department of commerce shall convene an advisory
19 committee of representatives of local government subdivisions,
20 representatives from organizations representing each local government
21 subdivision, and either (i) an electric utility or (ii) a natural gas
22 utility, or both, to work with the department to develop the rules.
23 The department may invite additional stakeholders to participate in the
24 advisory committee as needed and determined by the department.

25 (b) The following are exempt from this requirement: (i) Transit
26 agencies using compressed natural gas on June 1, 2018(~~, are exempt~~
27 from this requirement)), and (ii) engine retrofits that would void
28 warranties. Nothing in this section is intended to require the
29 replacement of equipment before the end of its useful life. Compressed

1 natural gas, liquefied natural gas, or propane may be substituted for
2 electricity or biofuel if the department of commerce determines that
3 electricity and biofuel are not reasonably available.

4 (c)(i) Rules adopted pursuant to RCW 43.325.080 must provide the
5 authority for local government subdivisions to elect to exempt police,
6 fire, and other emergency response vehicles, including utility vehicles
7 frequently used for emergency response, from the fuel usage requirement
8 in (a) of this subsection.

9 (ii) Prior to executing its authority under (c)(i) of this
10 subsection, a local government subdivision must provide notice to the
11 department of commerce of the exemption. The notice must include the
12 rationale for the exemption and an explanation of how the exemption is
13 consistent with rules adopted by the department of commerce.

14 (d) Before June 1, 2018, local government subdivisions purchasing
15 vessels, vehicles, and construction equipment capable of using
16 biodiesel must request warranty protection for the highest level of
17 biodiesel the vessel, vehicle, or construction equipment is capable of
18 using, up to one hundred percent biodiesel, as long as the costs are
19 reasonably equal to a vessel, vehicle, or construction equipment that
20 is not warranted to use up to one hundred percent biodiesel.

21 (3) In order to phase in this transition for the state, all state
22 agencies, to the extent determined practicable by the department of
23 commerce by rules adopted pursuant to RCW 43.325.080, are required to
24 achieve forty percent fuel usage for operating publicly owned vessels,
25 vehicles, and construction equipment from electricity or biofuel by
26 June 1, 2013. Compressed natural gas, liquefied natural gas, or
27 propane may be substituted for electricity or biofuel if the department
28 of commerce determines that electricity and biofuel are not reasonably
29 available. The department of enterprise services, in consultation with
30 the department of commerce, shall report to the governor and the
31 legislature by December 1, 2013, on what percentage of the state's fuel
32 usage is from electricity or biofuel.

33 (4) Except for cars owned or operated by the Washington state
34 patrol, when tires on vehicles in the state's motor vehicle fleet are
35 replaced, they must be replaced with tires that have the same or better
36 rolling resistance as the original tires.

37 (5) By December 31, 2015, the state must, to the extent

1 practicable, install electrical outlets capable of charging electric
2 vehicles in each of the state's fleet parking and maintenance
3 facilities.

4 (6) The department of transportation's obligations under subsection
5 (3) of this section are subject to the availability of amounts
6 appropriated for the specific purpose identified in subsection (3) of
7 this section.

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

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

15 (a) "Battery charging station" means an electrical component
16 assembly or cluster of component assemblies designed specifically to
17 charge batteries within electric vehicles, which meet or exceed any
18 standards, codes, and regulations set forth by chapter 19.28 RCW and
19 consistent with rules adopted under RCW 19.27.540.

20 (b) "Battery exchange station" means a fully automated facility
21 that will enable an electric vehicle with a swappable battery to enter
22 a drive lane and exchange the depleted battery with a fully charged
23 battery through a fully automated process, which meets or exceeds any
24 standards, codes, and regulations set forth by chapter 19.28 RCW and
25 consistent with rules adopted under RCW 19.27.540."

26 Correct the title.

EFFECT: Directs the department of commerce (department) to include an electric utility or a natural gas utility, or both, as a member of the advisory committee established to work with the department to develop rules relating to local government fuel usage requirements. Authorizes the department to invite additional stakeholders to participate on the advisory committee.

Requires a local government subdivision prior to exempting a police, fire, or other emergency response vehicle, including utility vehicles frequently used for emergency response, from the fuel usage requirement to notify the department of commerce of the exemption.

Requires local government subdivisions purchasing vessels, vehicles, and construction equipment capable of using biodiesel to request warranty protection for the highest level of biodiesel the vessel, vehicle, or construction equipment is capable of using, up to 100 percent biodiesel, as long as the costs are reasonably equal to a vessel, vehicle, or construction equipment that is not warranted to use up to 100 percent biodiesel.

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