

# SENATE BILL REPORT

## ESHB 2711

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As Reported by Senate Committee On:  
Transportation, February 27, 2014

**Title:** An act relating to electric vehicle charging stations.

**Brief Description:** Concerning public charging stations for electric vehicles.

**Sponsors:** House Committee on Transportation (originally sponsored by Representatives Habib, Magendanz, Tarleton, Morrell, Bergquist, Freeman and Muri).

**Brief History:** Passed House: 2/17/14, 61-35.

**Committee Activity:** Transportation: 2/26/14, 2/27/14 [DP, DNP].

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass.

Signed by Senators Eide, Co-Chair; King, Co-Chair; Hobbs, Vice Co-Chair; Fain, Budget Leadership Cabinet; Cleveland, Ericksen, Litzow, O'Ban and Rolfes.

**Minority Report:** Do not pass.

Signed by Senators Angel, Brown and Dansel.

**Staff:** Kim Johnson (786-7472)

**Background:** As of July 2013, there were more than 5000 plug-in electric vehicles registered in Washington. The Washington State Department of Transportation (WSDOT) reports that there are currently 381 electric vehicle charging stations in Washington, 357 of which are Level 2 chargers and 29 that are fast chargers.

The West Coast Electric Highway initiative has developed over the past couple of years. It is a network of electric vehicle fast-charging stations located every 25 to 50 miles along Interstate 5 and other major roadways and stretches from the Canadian border to the Mexican border. There are 14 stations in Washington that are associated with the West Coast Electric Highway. Additionally, there are also electric vehicle charging stations provided by both public and private entities throughout Washington that are not part of the West Coast Electric Highway initiative.

**Summary of Bill:** For purposes of this bill, publicly available charging space means a charging space that has been designated by the owner or operator of the space to be available

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to, and accessible by, the public and may include on-street charging stations and charging stations in surface lots or parking garages. However, it does not include the following:

- a charging space that is part of a private residence;
- a charging space reserved for exclusive use of an individual driver or for a group of vehicles such as employees, tenants, visitors, residents of a common interest development, or residents of an adjacent building; or
- a charging space provided by a producer of electric vehicles as a service.

The following terms are also defined: battery, electric vehicle, electric vehicle service equipment, interoperability billing standards, network roaming, and public charging station.

A public charging station that requires users to pay a fee may not require users to pay a subscription fee to use the station and may not require users to obtain a membership in any club or organization as a condition of using the station. The total charge for using the station may include network roaming charges for nonmembers; however, these charges must be disclosed to the public at the point of sale prior to a commitment to pay the charges.

Public charging stations that require the payment of a fee must allow a person to pay via a credit card or mobile technology. A public charging station must display the method for contacting the charging station's operator to obtain immediate access to charging.

If interoperability standards have not been adopted by a national standards organization within two years of the effective date of this act, WSDOT may adopt such standard or other rules that allow for network roaming payment methods for public charging stations. If WSDOT adopts standards then public charging stations requiring payment must meet those standards within one year from the date of adoption of the WSDOT standards.

The requirements in this act do not apply to the owner or operator of a publicly available charging space whose primary business is other than electric vehicle charging or to any charging station installed before the effective date of this act.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: This bill is really about network neutrality. If you operate a charging station that is open to the public, you cannot require those who are not members to join in order to charge their vehicle at your station. Price discrimination is allowed; much like the cell phone industry, roaming charges are used but access to the service is preserved.

Plug In America and the Seattle Electric Vehicle Association (SEVA) supports this legislation. The only thing worse than no charging station is a charging station that you cannot use. This bill provides clear policy expectations to the charging station industry.

**Persons Testifying:** PRO: Representative Habib, prime sponsor; Chad Schwitters, Plug In America, Director; Jeff Finn, SEVA, Volunteer Coordinator Legislative Issues.