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SENATE BILL 5446

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State of Washington

64th Legislature

2015 Regular Session

By Senators Hobbs, Liiias, Mullet, Litzow, Pedersen, Fain, Frockt, McAuliffe, Benton, Chase, and Jayapal; by request of Governor Inslee

Read first time 01/21/15. Referred to Committee on Energy, Environment & Telecommunications.

1 AN ACT Relating to requiring incentives for electric vehicle  
2 readiness in buildings; amending RCW 35.63.126 and 35.63.127; and  
3 creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that the development  
6 of electric vehicle infrastructure is a critical step in creating  
7 jobs, fostering economic growth, reducing greenhouse gas emissions,  
8 and spurring electric vehicle usage across the state. Limited driving  
9 distance between battery charges is a fundamental disadvantage and  
10 obstacle to broad consumer adoption of vehicles powered by  
11 electricity. To eliminate this fundamental disadvantage and  
12 dramatically increase consumer usage of electric vehicles, it is  
13 essential that an infrastructure of convenient electric vehicle  
14 charging opportunities be developed. It is the intent of the  
15 legislature with this act to encourage the transition to electric  
16 vehicle use and to expedite the establishment of a convenient, cost-  
17 effective electric vehicle infrastructure that such a transition  
18 necessitates.

19 **Sec. 2.** RCW 35.63.126 and 2009 c 459 s 9 are each amended to  
20 read as follows:

1 (1) (~~By July 1, 2010,~~) The development regulations of any  
2 jurisdiction:

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

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

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

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

18 (2) (~~By July 1, 2011, or six months after the distribution~~  
19 ~~required under RCW 43.31.970 occurs, whichever is later,~~) The  
20 development regulations of any jurisdiction adjacent to Interstate 5,  
21 Interstate 90, Interstate 405, or state route number 520 planning  
22 under this chapter must allow electric vehicle infrastructure as a  
23 use in all areas, including multifamily residences, except those  
24 areas zoned for (~~residential or~~) resource use or critical areas. A  
25 jurisdiction may adopt and apply other development regulations that  
26 do not have the effect of precluding the siting of electric vehicle  
27 infrastructure in areas where that use is allowed.

28 (3) (~~By July 1, 2011, or six months after the distribution~~  
29 ~~required under RCW 43.31.970 occurs, whichever is later,~~) The  
30 development regulations of any jurisdiction planning under this  
31 chapter must allow battery charging stations as a use in all areas,  
32 including multifamily residences, except those areas zoned for  
33 (~~residential or~~) resource use or critical areas. A jurisdiction may  
34 adopt and apply other development regulations that do not have the  
35 effect of precluding the siting of electric vehicle infrastructure in  
36 areas where that use is allowed.

37 (4) Cities (~~are authorized to~~) must adopt incentive programs to  
38 encourage the fitting of new structures and the retrofitting of  
39 existing structures with the rapid charging station electrical  
40 outlets capable of charging electric vehicles. Incentives may include

1 bonus height, site coverage, floor area ratio, and transferable  
2 development rights for use in urban growth areas.

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

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

10 (b) "Battery exchange station" means a fully automated facility  
11 that will enable an electric vehicle with a swappable battery to  
12 enter a drive lane and exchange the depleted battery with a fully  
13 charged battery through a fully automated process, which meets or  
14 exceeds any standards, codes, and regulations set forth by chapter  
15 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

16 (c) "Electric vehicle infrastructure" means structures,  
17 machinery, and equipment necessary and integral to support an  
18 electric vehicle, including battery charging stations, rapid charging  
19 stations, and battery exchange stations.

20 (d) "Rapid charging station" means an industrial grade electrical  
21 outlet that allows for faster recharging of electric vehicle  
22 batteries through higher power levels, which meets or exceeds any  
23 standards, codes, and regulations set forth by chapter 19.28 RCW and  
24 consistent with rules adopted under RCW 19.27.540.

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

29 **Sec. 3.** RCW 35.63.127 and 2009 c 459 s 13 are each amended to  
30 read as follows:

31 (1) ~~((By July 1, 2010,))~~ The development regulations of any  
32 jurisdiction with a population over six hundred thousand or with a  
33 state capitol within its borders planning under this chapter must  
34 allow electric vehicle infrastructure as a use in all areas,  
35 including multifamily residences, within one mile of Interstate 5,  
36 Interstate 90, Interstate 405, or state route number 520, except  
37 those areas zoned for ~~((residential or))~~ resource use or critical  
38 areas. A jurisdiction may adopt and apply other development

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

3 ~~((By July 1, 2011, or six months after the distribution~~  
4 ~~required under RCW 43.31.970 occurs, whichever is later,))~~ The  
5 development regulations of any jurisdiction adjacent to Interstate 5,  
6 Interstate 90, Interstate 405, or state route number 520 planning  
7 under this chapter must allow electric vehicle infrastructure as a  
8 use in all areas, including multifamily residences, except those  
9 areas zoned for ~~((residential or))~~ resource use or critical areas. A  
10 jurisdiction may adopt and apply other development regulations that  
11 do not have the effect of precluding the siting of electric vehicle  
12 infrastructure in areas where that use is allowed.

13 ~~((By July 1, 2011, or six months after the distribution~~  
14 ~~required under RCW 43.31.970 occurs, whichever is later,))~~ The  
15 development regulations of any jurisdiction planning under this  
16 chapter must allow battery charging stations as a use in all areas,  
17 including multifamily residences, except those areas zoned for  
18 ~~((residential or))~~ resource use or critical areas. A jurisdiction may  
19 adopt and apply other development regulations that do not have the  
20 effect of precluding the siting of electric vehicle infrastructure in  
21 areas where that use is allowed.

22 (4) Counties ~~((are authorized to))~~ must adopt incentive programs  
23 to encourage the fitting of new structures and the retrofitting of  
24 existing structures with the rapid charging station electrical  
25 outlets capable of charging electric vehicles. Incentives may include  
26 bonus height, site coverage, floor area ratio, and transferable  
27 development rights for use in urban growth areas.

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

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

35 (b) "Battery exchange station" means a fully automated facility  
36 that will enable an electric vehicle with a swappable battery to  
37 enter a drive lane and exchange the depleted battery with a fully  
38 charged battery through a fully automated process, which meets or  
39 exceeds any standards, codes, and regulations set forth by chapter  
40 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

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

5 (d) "Rapid charging station" means an industrial grade electrical  
6 outlet that allows for faster recharging of electric vehicle  
7 batteries through higher power levels, which meets or exceeds any  
8 standards, codes, and regulations set forth by chapter 19.28 RCW and  
9 consistent with rules adopted under RCW 19.27.540.

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

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