
Transportation Committee

HB 2515

Brief Description: Concerning the electrification of transportation.

Sponsors: Representatives Macri, Doglio, Fitzgibbon, Gregerson, Ramel, Senn, Tarleton, Peterson, Pollet and Hudgins.

Brief Summary of Bill

- Requires the Washington State Transportation Commission (Commission) to adopt rules, on or before January 1, 2024, that require all model year 2030 or later passenger and light-duty vehicles sold or registered in Washington to be electric vehicles, and to develop a scoping plan by September 1, 2021, for these rules.
- Prohibits the Department of Licensing from registering vehicles that are not in compliance with these rules for model year 2030 or later passenger and light-duty vehicles.
- Requires the Commission to consult with state agencies with jurisdiction over passenger and light-duty vehicles and clean air agencies in developing its scoping plan for these rules, and to convene a Community Advisory Committee to advise its scoping plan development and rulemaking process.
- Mandates that the Commission appoint an Economic and Technology Advancement Advisory Committee to advise it on activities that will facilitate investment in and implementation of technological research and development opportunities.

Hearing Date: 2/10/20

Staff: Jennifer Harris (786-7143).

Background:

Motor Vehicle Emission Standards.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Washington adopted California motor vehicle emission standards in 2005, granting the Department of Ecology (Ecology) authority to adopt rules to implement these standards for passenger cars, light-duty trucks, and medium-duty passenger vehicles, and to amend these rules to maintain consistency with California's motor vehicle emissions standards and certain provisions of the Federal Clean Air Act. California's zero emissions vehicle (ZEV) program was not included in this authorization for rules adoption.

In adopting rules consistent with California motor vehicle emission standards, Ecology is required to convene an advisory group of industry and consumer representatives to comment on proposed rules. The signature of the Governor is required for rule adoption. Washington's adoption of California's motor vehicle emission standards only apply to car model years for which Oregon has also adopted California's standards; as a result, Washington's clean car regulations apply to car model years 2009 and later.

Light-duty cars and trucks and medium-duty passenger vehicles model year 2010 and later sold in Washington are required to have a label affixed to them disclosing the comparative greenhouse gas emissions for the vehicle that presents information in a continuous, easy-to-read scale. Labels that meet California greenhouse gas vehicle labeling program requirements are deemed to meet these requirements.

Violations of California vehicle emission standard rules are punishable by a civil penalty of up to \$5,000 per vehicle.

Washington State Transportation Commission.

The Washington State Transportation Commission (Commission) is made up of seven Commissioners appointed to six-year terms by the Governor and confirmed by the Senate. The Governor and the Secretary of Transportation (or their designees) participate in the Commission as nonvoting members. Under state law, the Commission is tasked with:

- preparing a statewide transportation plan and making recommendations to the Legislature, developed with input from the public and stakeholders;
- setting toll rates and ferry fares;
- conducting surveys of ferry riders;
- reviewing ferry operational strategies and making recommendations on them to the Legislature;
- conducting surveys of ferry riders using a survey panel;
- facilitating a road usage charge (RUC) steering committee's work; and
- convening the autonomous vehicle (AV) work group.

Summary of Bill:

2030 Model Year and Later Rules for Motor Vehicles.

The Commission is required to adopt rules, on or before January 1, 2024, in coordination with the appropriate state agencies, that require all model year 2030 or later passenger and light-duty vehicles sold or registered in Washington be electric vehicles (EVs). Electric vehicles include hydrogen fuel cell electric vehicles.

The Department of Licensing (DOL) is prohibited from registering vehicles that are not in compliance with these rules.

The rules adopted by the Commission must be consistent with the scoping plan developed and the Commission must:

- design the regulations to maximize equity and total benefits to the state, while minimizing costs and risks;
- minimize the administrative burden of implementing and complying with the regulations;
- rely on the best available economic and scientific information and an assessment of existing and projected technological capabilities;
- consult with the Utilities and Transportation Commission, investor-owned utilities, public utility districts, and municipal utilities where the regulations would impact electricity providers; and
- revise rules adopted and adopt additional rules to accelerate or otherwise facilitate the goals stated for these regulations.

Scoping Plan for the Transition Period (2021-2040).

The Commission must develop a scoping plan for the requirement that all model year 2030 or later passenger and light-duty vehicles sold or registered in Washington be EVs by September 1, 2021, to be updated in 2025 and 2028, using the assumption that technology available through 2030 will be substantially similar to the technology available when the plan is written. The scoping plan must include a number of elements for the transition period of 2021-40, including analysis related to:

- the predicted number of EVs and internal combustion engine vehicles registered in the state;
- EV fueling station needs and estimates of annual investments required;
- electrical utility infrastructure updates and build-out needed and annual investments required;
- the price differential in purchase price and total cost of ownership between EVs and internal combustion engine vehicles;
- yearly job gains and losses as a result of the 2030 requirement;
- impacts to state transportation revenues and recommendations for alternatives to the gas tax;
- predicted yearly decrease in gas and diesel sales and the dollars retained in Washington as a result;
- impacts on equity for low-income individuals and strategies for maximizing equity in implementation;
- potential impacts from autonomous and shared services on passenger vehicle operations and infrastructure deployment; and
- recommendations for coordination with neighboring state and provincial jurisdictions related to infrastructure needs and furthering an effective transition.

The Commission may rely on reasonable cost assumptions related to the cost of implementing EV technology based on anticipated economies of scale, technology learning curves, and other generally accepted cost estimating techniques in developing its cost-analysis framework.

Copies of the initial and updated scoping plans must be submitted to the standing committees of the Legislature with jurisdiction over transportation issues.

Scoping Plan Development Process.

In developing the scoping plan, the Commission is required to consult with all state agencies with jurisdiction over passenger and light-duty vehicles, including Ecology, the DOL, the Washington State Department of Transportation, and the Olympic, Northwest, Puget Sound, Southwest, Yakima, Benton, and Spokane clean air agencies. As part of its scoping plan development, the Commission must consider vehicle electrification programs in other states, localities, and nations; analyze potential costs and economic and non-economic benefits using the best available scientific and economic models; and conduct a series of public workshops to provide interested parties an opportunity to comment, especially and including disadvantaged communities, low-income communities, and communities of color.

The Commission is required to convene a Community Advisory Committee by August 31, 2020, to advise its scoping plan development and rulemaking process. The Community Advisory Committee must have at least nine members appointed by a majority vote of the Commission, and be comprised of representatives from communities in the state who are likely to experience the greatest benefits or disadvantages as a result of this bill, including but not limited to, rural communities, communities of color, and low-income communities. Community Advisory Committee members must be appointed from nominations received from community groups and other stakeholders.

The Commission is also required to appoint an Economic and Technology Advancement Advisory Committee to advise it on activities that will facilitate investment in and implementation of technological research and development opportunities, including identifying new technologies, research, demonstration projects, and funding opportunities; developing state, national, and international partnerships and technology transfer opportunities; and identifying and assessing research and advanced technology investment and incentive opportunities. The Economic and Technology Advancement Advisory Committee may also advise the Commission on state, regional, national, and international economic and technological developments related to EVs.

In addition to obtaining input from the two required advisory groups, the Commission must consult with other states, the federal government, and other nations to identify the most effective strategies and methods to provide adequate electric fueling infrastructure and to meet other needs created by the conversion to EVs.

The Commission is required to use the recommendations obtained from the advisory groups and other states, the federal government, and other nations in developing the scoping plan and adopting rules that are consistent with the purposes of the mandated regulation.

Appropriation: None.

Fiscal Note: Requested on January 27, 2020.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.