

SENATE BILL REPORT

SB 5908

As Reported by Senate Committee On:
State Government & Elections, February 2, 2022

Title: An act relating to creating the clean car authority as a new state government agency.

Brief Description: Creating the clean car authority as a new state government agency.

Sponsors: Senators Liias, Carlyle, Hunt, Nguyen and Saldaña.

Brief History:

Committee Activity: State Government & Elections: 1/28/22, 2/02/22 [DP-TRAN, w/oRec].

Brief Summary of Bill

- Creates a Clean Car Authority (Authority) to distribute electric vehicle grant funding awarded to Washington State from the Federal Infrastructure Investment and Jobs Act.
- Establishes an industry advisory committee to provide recommendations to the director regarding the function of the Authority.

SENATE COMMITTEE ON STATE GOVERNMENT & ELECTIONS

Majority Report: Do pass and be referred to Committee on Transportation.
Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa.

Minority Report: That it be referred without recommendation.
Signed by Senators Wilson, J., Ranking Member; Hawkins.

Staff: Melissa Van Gorkom (786-7491)

Background: Electric Vehicle Grants. The Federal Infrastructure Investment and Jobs Act

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

(Act) passed by Congress in 2021, invests in the nation's infrastructure, including electric vehicles. The Act authorizes new spending to build out a national network of electric vehicle charging infrastructure along the national highway system. The Act also expands eligibility under the existing Surface Transportation Block Program to include the installation of electric vehicle charging infrastructure.

Environmental Justice. The departments of Agriculture, Commerce, Ecology, Health, Natural Resources, and Transportation, and the Puget Sound Partnership (covered agencies) must apply and comply with specified environmental justice requirements with respect to agency activities. This includes environmental justice plan implementation, community engagement and public participation, tribal consultation, assessment, and budget and funding obligation requirements. Covered agencies must annually update the Environmental Justice Council (Council) on the development and implementation of these required plans and processes, and must publish an annual report on the Office of Financial Management website beginning in 2024.

Environmental Justice Council. The Council was established by the Legislature in 2021, to advise covered agencies on incorporating environmental justice into agency activities. The Council consists of 14 members, appointed by the Governor, who are well-informed of and committed to the principles of environmental justice. Covered agencies serve as nonvoting, ex officio liaisons to the Council. The Council's role is advisory and decisions are not binding on an agency, individual, or organization.

State Civil Service Law. State civil service law governs the appointment, promotion, transfer, layoff, removal, discipline, and welfare of most state agency employees. State civil service law applies to most state agency employees, unless expressly excluded.

Summary of Bill: Clean Car Authority. The Clean Car Authority (Authority) is established to distribute electric vehicle grant funding awarded to Washington State from the Federal Infrastructure Investment and Jobs Act. The Governor must appoint a director with the advice and consent of the Senate who will:

- control the internal affairs and supervision of the Authority;
- employ staff in accordance with state civil service law; and
- appoint an industry advisory committee to provide recommendations regarding the function of the Authority.

The director serves at the pleasure of the Governor and will be paid a salary fixed by the Governor. The director and deputy director, should one be appointed, are exempt from the state civil service law. Any power or duty vested in or transferred to the director by law or executive order may be delegated by the director, but the director is responsible for the official acts of the officers and employees of the Authority.

The Authority will:

- provide a general vision for the state regarding the most beneficial and efficient

- distribution of electric vehicle grants;
- oversee the administration of electric vehicle grants across all state agencies and local governments;
- assume all substantive and procedural requirements of covered agencies environmental justice obligations by notifying the Council; and
- coordinate its efforts with the Office of Climate Commitment Accountability, if it is established.

The Authority may adopt rules necessary to carry out the powers and duties delegated to it.

Industry Advisory Committee. The industry advisory committee must include representation from the electric vehicle industry, interested stakeholders, and applicable state and local agencies tasked with administering electric vehicle grants. The committee will hold meetings as determined by the director. Members of the committee may be paid for their travel expenses.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: OTHER: We appreciate the concept of ramping up resources and staffing to effectively support the states transition to zero emission vehicles. The Governor supports electrification of the transportation sector and is championing proposals and policies to transition to clean fuel vehicles. Given one focus of the bill is on national electric vehicle program funding, we wanted to share that Washington State Department of Transportation is working closely with the Federal Highway Administration to understand the federal requirements. We are working with the sponsor on an alternative approach that leverages the existing skills and expertise across our state agencies.

Persons Testifying: OTHER: Debbie Driver, Governor's Office.

Persons Signed In To Testify But Not Testifying: CON: RACHEL BUCK.