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**SENATE BILL 5192**

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**State of Washington**                      **67th Legislature**                      **2021 Regular Session**

**By** Senators Das, Lovelett, Carlyle, Kuderer, Nguyen, and Wilson, C.

Read first time 01/13/21. Referred to Committee on Transportation.

1            AN ACT Relating to supporting access to electric vehicle supply  
2 equipment; amending RCW 19.94.010, 19.94.175, 19.94.190, 19.94.517,  
3 and 46.08.185; and adding new sections to chapter 19.94 RCW.

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

5            **Sec. 1.** RCW 19.94.010 and 2019 c 96 s 1 are each amended to read  
6 as follows:

7            (1) The definitions in this section apply throughout this chapter  
8 and to any rules adopted pursuant to this chapter unless the context  
9 clearly requires otherwise.

10           (a) "City" means a first-class city or a code city, as defined in  
11 RCW 35A.01.035, with a population of over fifty thousand persons.

12           (b) "City sealer" means the person duly authorized by a city to  
13 enforce and administer the weights and measures program within such  
14 city and any duly appointed deputy sealer acting under the  
15 instructions and at the direction of the city sealer.

16           (c) "Commodity in package form" means a commodity put up or  
17 packaged in any manner in advance of sale in units suitable for  
18 either wholesale or retail sale, exclusive, however, of an auxiliary  
19 shipping container enclosing packages that individually conform to  
20 the requirements of this chapter. An individual item or lot of any  
21 commodity not in packaged form, but on which there is marked a

1 selling price based on established price per unit of weight or of  
2 measure, shall be construed to be a commodity in package form.

3 (d) "Consumer package" or "package of consumer commodity" means a  
4 commodity in package form that is customarily produced or distributed  
5 for sale through retail sales agencies or instrumentalities for  
6 consumption by persons, or used by persons for the purpose of  
7 personal care or in the performance of services ordinarily rendered  
8 in or about a household or in connection with personal possessions.

9 (e) "Cord" means the measurement of wood intended for fuel or  
10 pulp purposes that is contained in a space of one hundred  
11 twenty-eight cubic feet, when the wood is ranked and well stowed.

12 (f) "Department" means the department of agriculture of the state  
13 of Washington.

14 (g) "Director" means the director of the department or duly  
15 authorized representative acting under the instructions and at the  
16 direction of the director.

17 (h) "Fish" means any waterbreathing animal, including shellfish,  
18 such as, but not limited to, lobster, clam, crab, or other mollusca  
19 that is prepared, processed, sold, or intended for sale.

20 (i) "Net weight" means the weight of a commodity excluding any  
21 materials, substances, or items not considered to be part of such  
22 commodity. Materials, substances, or items not considered to be part  
23 of a commodity shall include, but are not limited to, containers,  
24 conveyances, bags, wrappers, packaging materials, labels, individual  
25 piece coverings, decorative accompaniments, and coupons.

26 (j) "Nonconsumer package" or "package of nonconsumer commodity"  
27 means a commodity in package form other than a consumer package and  
28 particularly a package designed solely for industrial or  
29 institutional use or for wholesale distribution only.

30 (k) "Meat" means and shall include all animal flesh, carcasses,  
31 or parts of animals, and shall also include fish, shellfish, game,  
32 poultry, and meat food products of every kind and character, whether  
33 fresh, frozen, cooked, cured, or processed.

34 (l) "Official seal of approval" means the seal or certificate  
35 issued by the director or city sealer which indicates that a  
36 secondary weights and measures standard or a weighing or measuring  
37 instrument or device conforms with the specifications, tolerances,  
38 and other technical requirements adopted in RCW 19.94.190.

39 (m) "Person" means any individual, receiver, administrator,  
40 executor, assignee, trustee in bankruptcy, trust, estate, firm,

1 copartnership, joint venture, club, company, business trust,  
2 corporation, association, society, or any group of individuals acting  
3 as a unit, whether mutual, cooperative, fraternal, nonprofit, or  
4 otherwise.

5 (n) "Poultry" means all fowl, domestic or wild, that is prepared,  
6 processed, sold, or intended or offered for sale.

7 (o) "Service agent" means a person who for hire, award,  
8 commission, or any other payment of any kind, installs, tests,  
9 inspects, checks, adjusts, repairs, reconditions, or systematically  
10 standardizes the graduations of a weighing or measuring instrument or  
11 device.

12 (p) "Ton" means a unit of two thousand pounds avoirdupois weight.

13 (q) "Weighing or measuring instrument or device" means any  
14 equipment or apparatus used commercially to establish the size,  
15 quantity, capacity, count, extent, area, heaviness, or measurement of  
16 quantities, things, produce, or articles for distribution or  
17 consumption, that are purchased, offered or submitted for sale, hire,  
18 or award on the basis of weight, measure or count, including any  
19 accessory attached to or used in connection with a weighing or  
20 measuring instrument or device when such accessory is so designed or  
21 installed that its operation affects, or may effect, the accuracy or  
22 indication of the device. This definition shall be strictly limited  
23 to those weighing or measuring instruments or devices governed by  
24 Handbook 44 as adopted under RCW 19.94.190.

25 (r) "Weight" means net weight as defined in this section.

26 (s) "Weights and measures" means the recognized standards or  
27 units of measure used to indicate the size, quantity, capacity,  
28 count, extent, area, heaviness, or measurement of any consumable  
29 commodity.

30 (t) "Secondary weights and measures standard" means the physical  
31 standards that are traceable to the primary standards through  
32 comparisons, used by the director, a city sealer, or a service agent  
33 that under specified conditions defines or represents a recognized  
34 weight or measure during the inspection, adjustment, testing, or  
35 systematic standardization of the graduations of any weighing or  
36 measuring instrument or device.

37 (u) "Charging session" means an event starting when a user or a  
38 vehicle initiates a refueling event and stops when a user or a  
39 vehicle ends a refueling event.

1 (v) "Clearly marked" means, at a minimum, a sign, sticker,  
2 plaque, or any other visible marker that is readable, which may  
3 include standards from the Americans with disabilities act of 1990,  
4 2010 standards for accessible design.

5 (w) "Common interest community" has the same meaning as defined  
6 in RCW 64.90.010.

7 (x) "Direct current fast charger" means electric vehicle supply  
8 equipment capable of supplying direct current electricity to a  
9 vehicle fitted with the appropriate connection to support refueling  
10 the vehicle's energy storage battery.

11 (y) "Electric vehicle service provider" means the entity  
12 responsible for operating one or more networked or nonnetworked  
13 electric vehicle supply equipment. Operating includes, but is not  
14 limited to: Sending commands or messages to a networked electric  
15 vehicle supply equipment; receiving commands or messages from a  
16 networked electric vehicle supply equipment; or providing billing,  
17 maintenance, reservations, or other services to a nonnetworked or  
18 networked electric vehicle supply equipment. An electric vehicle  
19 service provider may designate another entity to act as the electric  
20 vehicle service provider for purposes of this chapter. A state  
21 agency, an electric utility as defined in RCW 19.405.020, or a  
22 municipal corporation as defined in RCW 39.69.010 is considered an  
23 electric vehicle service provider when responsible for operating one  
24 or more networked or nonnetworked electric vehicle supply equipment.

25 (z) "Electric vehicle supply equipment" means the unit  
26 controlling the power supply to one or more vehicles during a  
27 charging session including, but not limited to, level 2 electric  
28 vehicle supply equipment and direct current fast chargers.

29 (aa) "Installed" means operational and made available for a  
30 charging session.

31 (bb) "Kiosk" means a stand-alone physical unit that allows users  
32 to pay for and initiate a charging session at one or more electric  
33 vehicle supply equipment located at the same site as the kiosk.

34 (cc) "Level 2 electric vehicle supply equipment" means electric  
35 vehicle supply equipment capable of supplying 208 to 240 volt  
36 alternating current.

37 (dd) "Networked electric vehicle supply equipment" means electric  
38 vehicle supply equipment capable of receiving and sending commands or  
39 messages remotely from an electric vehicle service provider.

1 (ee) "Nonnetworked electric vehicle supply equipment" means  
2 electric vehicle supply equipment incapable of receiving and sending  
3 commands or messages remotely from an electric vehicle service  
4 provider, including electric vehicle supply equipment with remote  
5 communication capabilities that have been disabled or electric  
6 vehicle supply equipment with secondary systems that provide remote  
7 communication capabilities that have been installed.

8 (ff) "Publicly available electric vehicle supply equipment" means  
9 electric vehicle supply equipment and associated parking space or  
10 spaces designated by a property owner or lessee to be available to,  
11 and accessible by, the public.

12 (2) The director shall prescribe by rule other definitions as may  
13 be necessary for the implementation of this chapter.

14 NEW SECTION. Sec. 2. A new section is added to chapter 19.94  
15 RCW to read as follows:

16 (1) Except for the applicable exemptions in section 3 of this  
17 act, electric vehicle supply equipment is considered publicly  
18 available and is subject to the requirements of this chapter if:

19 (a) A lessee or a property owner designates electric vehicle  
20 supply equipment to be available only to customers or visitors of a  
21 business;

22 (b) Any member of the public can obtain vehicular access to  
23 electric vehicle supply equipment and associated parking spaces  
24 located in a parking garage or gated facility for free or through  
25 payment of a fee;

26 (c) The electric vehicle supply equipment and associated parking  
27 spaces are made available to the public for only limited time  
28 periods, then the electric vehicle supply equipment and associated  
29 parking spaces are considered publicly available electric vehicle  
30 supply equipment during those limited time periods only.

31 (2) The director may by rule subject additional types of electric  
32 vehicle supply equipment to the requirements of this chapter to  
33 benefit the public and provide protections to consumers.

34 NEW SECTION. Sec. 3. A new section is added to chapter 19.94  
35 RCW to read as follows:

36 (1) Publicly available electric vehicle supply equipment is  
37 exempt from compliance with the requirements of sections 4 and 5 of  
38 this act if:

1 (a) Members of the public may use the electric vehicle supply  
2 equipment at no cost, including no charges, fees, memberships,  
3 minimum balance on an account, and other cost at all times; and

4 (b) It is clearly marked that the electric vehicle supply  
5 equipment is available for use at no cost at all times.

6 (2) This chapter does not apply to:

7 (a) Workplace electric vehicle supply equipment and its  
8 associated parking spaces if it is clearly marked and operated as  
9 available exclusively to employees or contracted drivers, regardless  
10 of the physical accessibility of the electric vehicle supply  
11 equipment to the public, and that is available for use at no cost;

12 (b) Electric vehicle supply equipment and associated parking  
13 spaces reserved exclusively and available for use at no cost for  
14 residents, tenants, visitors, or employees of a private residence or  
15 common interest community; or a residential building adjacent to a  
16 private residence.

17 (3) The director may by rule provide exemptions from compliance  
18 with some or all requirements of this chapter to benefit the public  
19 and provide protections to consumers, including electric vehicle  
20 supply equipment that is not available or intended for use by the  
21 public but where charges, fees, or other costs are required to  
22 initiate a charging session.

23 NEW SECTION. **Sec. 4.** A new section is added to chapter 19.94  
24 RCW to read as follows:

25 (1) By January 1, 2023, the electric vehicle service provider  
26 must ensure all publicly available electric vehicle supply equipment  
27 is clearly marked and discloses all charges, fees, and costs  
28 associated with a charging session at each electric vehicle supply  
29 equipment or kiosk used to service that electric vehicle supply  
30 equipment. At a minimum, the electric vehicle service provider must  
31 disclose to the user the following information at the point of sale,  
32 if applicable:

33 (a) A fee for use of the parking space;

34 (b) A nonmember plug-in fee from the electric vehicle service  
35 provider;

36 (c) Price to refuel in United States dollars per kilowatt-hour or  
37 megajoule;

1 (d) Any potential changes in the price to refuel, in United  
2 States dollars per kilowatt-hour or megajoule, due to variable  
3 pricing; and

4 (e) Any other fees charged for a charging session.

5 (2) If the charging session or portion of a charging session is  
6 offered at no cost, it must be disclosed at the electric vehicle  
7 supply equipment or kiosk used to service that electric vehicle  
8 supply equipment.

9 NEW SECTION. **Sec. 5.** A new section is added to chapter 19.94  
10 RCW to read as follows:

11 (1) By July 1, 2022, the department, in consultation with the  
12 department of commerce and the Washington utilities and  
13 transportation commission, must adopt rules requiring all electric  
14 vehicle service providers make available multiple payment methods at  
15 all publicly available level 2 electric vehicle supply equipment or  
16 direct current fast charger electric vehicle supply equipment  
17 installed in Washington and must review and, if necessary, amend the  
18 rules every two years, to maintain consistency with evolving  
19 technology. At a minimum, the rules must include:

20 (a) Deadlines for electric vehicle service provider compliance  
21 for publicly available level 2 electric vehicle supply equipment and  
22 direct current fast charger electric vehicle supply equipment  
23 installed prior to a specific date;

24 (b) Deadlines for electric vehicle service provider compliance  
25 for publicly available level 2 electric vehicle supply equipment and  
26 direct current fast charger electric vehicle supply equipment  
27 installed on or after a specific date;

28 (c) Minimum required payment methods that are convenient and  
29 reasonably support access for all current and future users at  
30 publicly available level 2 electric vehicle supply equipment or  
31 direct current fast charger electric vehicle supply equipment  
32 installed in Washington. Payment methods may include, but are not  
33 limited to:

34 (i) A credit card reader device physically located on either the  
35 electric vehicle supply equipment unit or a kiosk used to service  
36 that electric vehicle supply equipment;

37 (ii) A toll-free number on each electric vehicle supply equipment  
38 and kiosk used to service that electric vehicle supply equipment that  
39 provides the user with the option to initiate a charging session and

1 submit payment at any time that the electric vehicle supply equipment  
2 is operational and publicly available;

3 (iii) A mobile payment option used to initiate a charging  
4 session;

5 (d) Means for conducting a charging session in languages other  
6 than English;

7 (e) Means for facilitating charging sessions for consumers who  
8 are unbanked, underbanked, or low-moderate income.

9 (2) The electric vehicle service provider may not require a  
10 subscription, membership, or account or a minimum balance on an  
11 account in order to initiate a charging session at electric vehicle  
12 supply equipment subject to this section.

13 (3) If an electric vehicle service provider sells or intends to  
14 sell consumer data collected during or associated with a charging  
15 session, the electric vehicle service provider shall disclose all  
16 types of data collected to the consumer.

17 (4) For the purpose of this section, "mobile payment" means an  
18 electronic fund transfer initiated through a mobile phone or device.

19 NEW SECTION. **Sec. 6.** A new section is added to chapter 19.94  
20 RCW to read as follows:

21 (1) Interoperability standards provide safeguards to consumers  
22 and support access to electric vehicle supply equipment. In order for  
23 Washington to have reliable, accessible, and competitive markets for  
24 electric vehicle supply equipment that are necessary for the movement  
25 of goods and people by electric vehicles, interoperability standards  
26 that align with national and international best practices or  
27 standards are necessary.

28 (2) By July 1, 2022, the department, in consultation with the  
29 department of commerce and the Washington utilities and  
30 transportation commission, shall adopt rules establishing  
31 requirements for all electric vehicle service providers to, at a  
32 minimum, meet and maintain interoperability standards for publicly  
33 available level 2 electric vehicle supply equipment and direct  
34 current fast charger electric vehicle supply equipment and shall  
35 review and, if necessary, amend the rules every two years, to  
36 maintain consistency with evolving technology.

37 (3) For the purpose of this section, "interoperability" means the  
38 ability of hardware, systems, software, or a communications network  
39 provided by one party, vendor, or service provider to interact with



1 or exchange and make use of information, including payment  
2 information, between hardware, software, or a communications network  
3 provided by a different party, vendor, or service provider.

4 NEW SECTION. **Sec. 7.** A new section is added to chapter 19.94  
5 RCW to read as follows:

6 (1) This section applies to all electric vehicle service  
7 providers operating one or more publicly available level 2 electric  
8 vehicle supply equipment or direct current fast charger electric  
9 vehicle supply equipment installed in Washington. If an electric  
10 vehicle service provider also operates electric vehicle supply  
11 equipment that is not available to the public, the requirements of  
12 this section apply only to that electric vehicle service provider's  
13 publicly available level 2 electric vehicle supply equipment or  
14 direct current fast charger electric vehicle supply equipment  
15 installed in Washington.

16 (2) By July 1, 2022, the department of commerce, in consultation  
17 with the department and the Washington utilities and transportation  
18 commission, must adopt rules establishing inventory, payment, and  
19 reliability reporting requirements for electric vehicle service  
20 providers and shall review and, if necessary, amend the rules every  
21 two years, to maintain consistency with evolving technology. The  
22 rules must include requirements for electric vehicle service  
23 providers to collect and submit information including, but not  
24 limited to:

- 25 (a) Electric vehicle service provider contact information;
- 26 (b) Electric vehicle supply equipment model certification for  
27 each electric vehicle supply equipment model operated in Washington;
- 28 (c) Electric vehicle supply equipment inventory for both active  
29 and retired, decommissioned, or removed electric vehicle supply  
30 equipment in Washington;
- 31 (d) Annual reports detailing electric vehicle supply equipment  
32 payment information;
- 33 (e) Specifications for reporting data to the national renewable  
34 energy laboratory, alternative fuels data center.

35 **Sec. 8.** RCW 19.94.175 and 2019 c 96 s 3 are each amended to read  
36 as follows:

1 (1) Pursuant to RCW 19.94.015, the following annual registration  
2 fees shall be charged for each weighing or measuring instrument or  
3 device used for commercial purposes in this state:

- 4 (a) Weighing devices:
  - 5 (i) Small scales "zero to four  
6 hundred pounds capacity" ... \$ 16.00
  - 7 (ii) Intermediate scales "four  
8 hundred one pounds to five  
9 thousand pounds capacity" .. \$ 60.00
  - 10 (iii) Large scales "over five  
11 thousand pounds capacity" .. \$ 120.00
  - 12 (iv) Railroad track scales ..... \$ 1,200.00
- 13 (b) Liquid fuel metering devices:
  - 14 (i) Motor fuel meters with flows  
15 of twenty gallons or less per  
16 minute ..... \$ 16.00
  - 17 (ii) Motor fuel meters with flows  
18 of more than twenty but not  
19 more than one hundred fifty  
20 gallons per minute ..... \$ 50.00
  - 21 (iii) Motor fuel meters with flows  
22 over one hundred fifty gallons  
23 per minute ..... \$ 75.00
- 24 (c) Liquid petroleum gas meters:
  - 25 (i) With one inch diameter or  
26 smaller dispensers ..... \$ 40.00
  - 27 (ii) With greater than one inch  
28 diameter dispensers ..... \$ 80.00
- 29 (d) Fabric meters ..... \$ 15.00
- 30 (e) Cordage meters ..... \$ 15.00
- 31 (f) Mass flow meters ..... \$ 300.00
- 32 (g) Taxi meters ..... \$ 40.00

33 (2) Pursuant to RCW 19.94.015, a reasonable registration fee for  
34 electric vehicle supply equipment may be established through rule  
35 making to cover the costs associated with enforcing this chapter on  
36 electric vehicle supply equipment.

1        (3) With the exception of subsection (~~(3)~~) (4) of this section,  
2 no person shall be required to pay more than the annual registration  
3 fee for any weighing or measuring instrument or device in any one  
4 year.

5        (~~(3)~~) (4) The department or a city sealer may establish  
6 reasonable inspection and testing fees for each type or class of  
7 weighing or measuring instrument or device specially requested to be  
8 inspected or tested by the device owner. These inspection and testing  
9 fees shall be limited to those amounts necessary for the department  
10 or city sealer to cover the direct costs associated with such  
11 inspection and testing. The fees shall not be set so as to compete  
12 with service agents normally engaged in such services.

13        (~~(4)~~) (5) The weights and measures advisory group within the  
14 department must review the fees in subsection (1) of this section and  
15 report to stakeholders on the financial status of the program  
16 supported by the fees by September 1, 2024, and September 1st every  
17 five years thereafter.

18        **Sec. 9.** RCW 19.94.190 and 2019 c 96 s 4 are each amended to read  
19 as follows:

20        (1) The director and duly appointed city sealers must enforce the  
21 provisions of this chapter.

22        (2) The department's enforcement proceedings under this chapter  
23 are subject to the requirement to provide technical assistance in  
24 chapter 43.05 RCW and the administrative procedure act, chapter 34.05  
25 RCW. City sealers undertaking enforcement actions must provide  
26 equivalent procedures.

27        (3) In assessing the amount of a civil penalty, the department or  
28 city must give due consideration to the gravity of the violation and  
29 history of previous violations.

30        (4) The director must adopt rules for enforcing and carrying out  
31 the purposes of this chapter including but not limited to the  
32 following:

33        (a) Establishing state standards of weight, measure, or count,  
34 and reasonable standards of fill for any commodity in package form;

35        (b) The establishment of technical test procedures to be  
36 followed, any necessary report and record forms, and marks of  
37 rejection to be used by the director and city sealers in the  
38 discharge of their official duties as required by this chapter;

1 (c) The establishment of technical test procedures, reporting  
2 procedures, and any necessary record and reporting forms to be used  
3 by service agents when testing and inspecting instruments or devices  
4 under RCW 19.94.255(3) or when otherwise installing, repairing,  
5 inspecting, or standardizing the graduations of any weighing or  
6 measuring instruments or devices;

7 (d) The establishment of exemptions from the marking or tagging  
8 requirements of RCW 19.94.250 with respect to weighing or measuring  
9 instruments or devices of such a character or size that the marking  
10 or tagging would be inappropriate, impracticable, or damaging to the  
11 apparatus in question;

12 (e) The establishment of exemptions from the inspection and  
13 testing requirements of RCW 19.94.163 with respect to classes of  
14 weighing or measuring instruments or devices found to be of such a  
15 character that periodic inspection and testing is unnecessary to  
16 ensure continued accuracy;

17 (f) The establishment of inspection and approval techniques, if  
18 any, to be used with respect to classes of weighing or measuring  
19 instruments or devices that are designed specifically to be used  
20 commercially only once and then discarded, or are uniformly  
21 mass-produced by means of a mold or die and are not individually  
22 adjustable;

23 (g) The establishment of inspection and testing procedures to be  
24 used for classes of weighing or measuring instruments or devices  
25 found to be few in number, highly complex, and of such character that  
26 differential or special inspection and testing is necessary,  
27 including railroad track scales. The department's procedures shall  
28 include requirements for the provision, maintenance, and transport of  
29 any weight or measure necessary for the inspection and testing at no  
30 expense to the state;

31 (h) Specifications, tolerances, and other technical requirements  
32 for commercial weighing and measuring instruments or devices that  
33 must be consistent with the most recent edition of the national  
34 institute of standards and technology handbook 44 except where  
35 modified to achieve state objectives; and

36 (i) Packaging, labeling, and method of sale of commodities that  
37 must be consistent with the most recent edition of the national  
38 institute of standards and technology handbook 44 and 130 (for legal  
39 metrology and engine fuel quality) except where modified to achieve  
40 state objectives.

1 (5) Rules adopted under this section must also include  
2 specifications and tolerances for the acceptable range of accuracy  
3 required of weighing or measuring instruments or devices and must be  
4 designed to eliminate from use, without prejudice to weighing or  
5 measuring instruments or devices that conform as closely as  
6 practicable to official specifications and tolerances, those that:  
7 (a) Are of such construction that they are faulty, that is, that are  
8 not reasonably permanent in their adjustment or will not repeat their  
9 indications correctly; or (b) facilitate the perpetration of fraud.

10 (6) By January 1, 2023, the director must adopt rules related to  
11 the sale of electricity sold as a vehicle fuel and electric vehicle  
12 fueling systems consistent with the most recent edition of the  
13 national institute of standards and technology handbook 130 and  
14 handbook 44, except where modified to achieve state objectives, and  
15 must review and, if necessary, amend the rules utilizing a public  
16 stakeholder process and providing the public advance notice for any  
17 proposed modifications every two years, to maintain consistency with  
18 evolving technology. These rules may take effect no earlier than  
19 January 1, 2024.

20 **Sec. 10.** RCW 19.94.517 and 2019 c 96 s 19 are each amended to  
21 read as follows:

22 (1) Whenever the department or a city sealer tests or inspects a  
23 weighing or measuring instrument or device and finds the instrument  
24 or device to be incorrect to the economic benefit of the owner/  
25 operator of the weighing or measuring instrument or device and to the  
26 economic detriment of the customer, the owner of the weighing or  
27 measuring instrument or device is subject to the following civil  
28 penalties:

29 Device deviations outside the tolerances stated in  
30 Handbook 44.

31 Penalty

32 Small weighing or measuring instruments or devices:

33 First violation . . . . . \$ 200.00

34 Second or subsequent  
35 violation within one year  
36 of first violation . . . . . \$ 500.00

37 Medium weighing or measuring instruments or devices:

38 First violation . . . . . \$ 400.00

1	Second or subsequent		
2	violation within one year		
3	of first violation . . . . .	\$	1,000.00
4	Large weighing or measuring instruments or devices:		
5	First violation . . . . .	\$	500.00
6	Second or subsequent		
7	violation within one year		
8	of first violation . . . . .	\$	2,000.00
9	<u>Electric vehicle fuel measuring instruments or devices:</u>		
10	<u>First violation . . . . .</u>	<u>\$</u>	<u>200.00</u>
11	<u>Second or subsequent</u>		
12	<u>violation within one year</u>		
13	<u>of first violation . . . . .</u>	<u>\$</u>	<u>500.00</u>

14 (2) For the purposes of this section:

15 (a) The following are small weighing or measuring instruments or  
 16 devices: Scales of zero to four hundred pounds capacity, liquid fuel  
 17 metering devices with flows of not more than twenty gallons per  
 18 minute, liquid petroleum gas meters with one inch in diameter or  
 19 smaller dispensers, fabric meters, cordage meters, and taxi meters.

20 (b) The following are medium weighing or measuring instruments or  
 21 devices: Scales of four hundred one to five thousand pounds capacity,  
 22 liquid fuel metering devices with flows of more than twenty but not  
 23 more than one hundred fifty gallons per minute, and mass flow meters.

24 (c) The following are large weighing or measuring instruments or  
 25 devices: Liquid petroleum gas meters with greater than one inch  
 26 diameter dispensers, liquid fuel metering devices with flows over one  
 27 hundred fifty gallons per minute, and scales of more than five  
 28 thousand pounds capacity and scales of more than five thousand pounds  
 29 capacity with supplemental devices.

30 (3) The weighing or measuring instrument or device owner may  
 31 appeal the civil penalty.

32 **Sec. 11.** RCW 46.08.185 and 2013 c 60 s 1 are each amended to  
 33 read as follows:

34 (1) An electric vehicle charging station must be indicated by  
 35 vertical signage identifying the station as an electric vehicle  
 36 charging station and indicating that it is only for electric vehicle  
 37 charging. The signage must be consistent with the manual on uniform

1 traffic control devices, as adopted by the department of  
2 transportation under RCW 47.36.030. Additionally, the electric  
3 vehicle charging station must be indicated by green pavement  
4 markings. Supplementary signage may be posted to provide additional  
5 information including, but not limited to, the amount of the monetary  
6 penalty under subsection (2) of this section for parking in the  
7 station while not connected to the charging equipment. An electric  
8 vehicle charging station must comply with the requirements in  
9 sections 2 through 5 of this act.

10 (2) It is a parking infraction, with a monetary penalty of one  
11 hundred twenty-four dollars, for any person to park a vehicle in an  
12 electric vehicle charging station provided on public or private  
13 property if the vehicle is not connected to the charging equipment.  
14 The parking infraction must be processed as prescribed under RCW  
15 3.50.100, 35.20.220, 46.16A.120, and 46.20.270(~~(+3)~~) (2).

16 (3) For purposes of this section, "electric vehicle charging  
17 station" means a public or private parking space that is served by  
18 charging equipment that has as its primary purpose the transfer of  
19 electric energy to a battery or other energy storage device in an  
20 electric vehicle.

--- END ---