

SSB 6304 - S AMD 640  
By Senator Lias

NOT CONSIDERED 03/07/2024

1 Strike everything after the enacting clause and insert the  
2 following:

3 "PART I  
4 ELECTRIC VEHICLE SUPPLY EQUIPMENT INSTALLATION, INFORMATION, AND  
5 RELIABILITY

6 Sec. 101. RCW 43.31.970 and 2023 c 470 s 2046 are each amended  
7 to read as follows:

8 The department of commerce must (~~distribute~~):

9 (1) Coordinate with the interagency electric vehicle coordinating  
10 council, state and local agencies, climate and environmental justice  
11 organizations, consumer and ratepayer advocates, industry  
12 representatives, labor representatives, consumer-owned electric  
13 utilities, investor-owned electric utilities, and building owners and  
14 operators to implement this section;

15 (2) Develop recommended legislative language, delivered to the  
16 legislature, on:

17 (a) Maximum timelines for electric vehicle supply equipment  
18 project permitting and interconnection;

19 (b) Necessary reporting requirements for electric utilities on  
20 transportation electrification efforts;

21 (c) Requirements for consumer information on electric vehicle  
22 supply equipment;

23 (d) Extending right-to-charge policies to tenants and homeowners  
24 outside of common interest communities;

25 (e) Reliability standards for both publicly funded and publicly  
26 available electric vehicle supply equipment; and

27 (f) Other policies to implement recommendations on improving  
28 electric vehicle supply equipment availability and use in the  
29 transportation electrification strategy under RCW 43.392.040;

1 (3) Develop a comprehensive and publicly available inventory of  
2 all electric vehicle supply equipment in Washington by December 31,  
3 2026.

4 (a) The department must develop reporting requirements for  
5 electric vehicle supply equipment providers, owners, and operators or  
6 any other entities necessary to develop and implement the inventory  
7 in this subsection. The department must adopt rules to determine  
8 necessary information and a reporting process for collecting data for  
9 the inventory. Such rules may not take effect before January 1, 2026.

10 (i) Information required by the department must be limited to  
11 counts of operational electric vehicle supply equipment and ports,  
12 electrical power, utilization, and other nonproprietary data  
13 necessary to ensuring the state has sufficient charging  
14 infrastructure.

15 (ii) The department may classify such information as confidential  
16 and not subject to public disclosure if such a classification is  
17 requested and considered in the public interest by the department.  
18 "Public interest" includes protecting data that would otherwise  
19 disincentivize electric vehicle supply equipment providers from  
20 making future investments in the state of Washington. The department  
21 may aggregate data at a census block level or larger for development  
22 of the inventory when utilizing the authority to classify data as  
23 confidential.

24 (iii) The department must engage with stakeholders identified in  
25 subsection (1) of this section to identify data that may be  
26 classified as confidential and a means for protecting confidential  
27 data, including data aggregation and the consideration of using a  
28 third-party entity to receive and secure data.

29 (b) For publicly available or shared use electric vehicle supply  
30 equipment, the department must require entities to report reliability  
31 data as determined by the department;

32 (4) Distribute to local governments model ordinances, model  
33 development regulations, and guidance for local governments for  
34 siting and installing electric vehicle infrastructure(~~(, and in~~  
35 particular ~~battery charging stations, and appropriate handling,~~  
36 recycling, and storage of electric vehicle batteries and equipment,  
37 when available)) by December 31, 2026, and every five years  
38 thereafter. The model ordinances, model development regulations, and  
39 guidance must be developed by a federal or state agency, or

1 nationally recognized organizations with specific expertise in land-  
2 use regulations or electric vehicle infrastructure.

3 **Sec. 102.** RCW 42.56.270 and 2023 c 340 s 11 are each amended to  
4 read as follows:

5 The following financial, commercial, and proprietary information  
6 is exempt from disclosure under this chapter:

7 (1) Valuable formulae, designs, drawings, computer source code or  
8 object code, and research data obtained by any agency within five  
9 years of the request for disclosure when disclosure would produce  
10 private gain and public loss;

11 (2) Financial information supplied by or on behalf of a person,  
12 firm, or corporation for the purpose of qualifying to submit a bid or  
13 proposal for (a) a ferry system construction or repair contract as  
14 required by RCW 47.60.680 through 47.60.750; (b) highway construction  
15 or improvement as required by RCW 47.28.070; or (c) alternative  
16 public works contracting procedures as required by RCW 39.10.200  
17 through 39.10.905;

18 (3) Financial and commercial information and records supplied by  
19 private persons pertaining to export services provided under chapters  
20 43.163 and 53.31 RCW, and by persons pertaining to export projects  
21 under RCW 43.23.035;

22 (4) Financial and commercial information and records supplied by  
23 businesses or individuals during application for loans or program  
24 services provided by chapters 43.325, 43.163, 43.160, 43.330, 43.168,  
25 and 43.181 RCW and RCW 43.155.160, or during application for economic  
26 development loans or program services provided by any local agency;

27 (5) Financial information, business plans, examination reports,  
28 and any information produced or obtained in evaluating or examining a  
29 business and industrial development corporation organized or seeking  
30 certification under chapter 31.24 RCW;

31 (6) Financial and commercial information supplied to the state  
32 investment board by any person when the information relates to the  
33 investment of public trust or retirement funds and when disclosure  
34 would result in loss to such funds or in private loss to the  
35 providers of this information;

36 (7) Financial and valuable trade information under RCW 51.36.120;

37 (8) Financial, commercial, operations, and technical and research  
38 information and data submitted to or obtained by the clean Washington

1 center in applications for, or delivery of, program services under  
2 chapter 70.95H RCW;

3 (9) Financial and commercial information requested by the public  
4 stadium authority from any person or organization that leases or uses  
5 the stadium and exhibition center as defined in RCW 36.102.010;

6 (10)(a) Financial information, including but not limited to  
7 account numbers and values, and other identification numbers supplied  
8 by or on behalf of a person, firm, corporation, limited liability  
9 company, partnership, or other entity related to an application for a  
10 horse racing license submitted pursuant to RCW 67.16.260(1)(b),  
11 cannabis producer, processor, or retailer license, liquor license,  
12 gambling license, or lottery retail license;

13 (b) Internal control documents, independent auditors' reports and  
14 financial statements, and supporting documents: (i) Of house-banked  
15 social card game licensees required by the gambling commission  
16 pursuant to rules adopted under chapter 9.46 RCW; or (ii) submitted  
17 by tribes with an approved tribal/state compact for class III gaming;

18 (c) Valuable formulae or financial or proprietary commercial  
19 information records received during a consultative visit or while  
20 providing consultative services to a licensed cannabis business in  
21 accordance with RCW 69.50.561;

22 (11) Proprietary data, trade secrets, or other information that  
23 relates to: (a) A vendor's unique methods of conducting business; (b)  
24 data unique to the product or services of the vendor; or (c)  
25 determining prices or rates to be charged for services, submitted by  
26 any vendor to the department of social and health services or the  
27 health care authority for purposes of the development, acquisition,  
28 or implementation of state purchased health care as defined in RCW  
29 41.05.011;

30 (12)(a) When supplied to and in the records of the department of  
31 commerce:

32 (i) Financial and proprietary information collected from any  
33 person and provided to the department of commerce pursuant to RCW  
34 43.330.050(8);

35 (ii) Financial or proprietary information collected from any  
36 person and provided to the department of commerce or the office of  
37 the governor in connection with the siting, recruitment, expansion,  
38 retention, or relocation of that person's business and until a siting  
39 decision is made, identifying information of any person supplying

1 information under this subsection and the locations being considered  
2 for siting, relocation, or expansion of a business; and

3 (iii) Financial or proprietary information collected from any  
4 person and provided to the department of commerce pursuant to RCW  
5 43.31.625 (3) (b) and (4);

6 (b) When developed by the department of commerce based on  
7 information as described in (a) (i) of this subsection, any work  
8 product is not exempt from disclosure;

9 (c) For the purposes of this subsection, "siting decision" means  
10 the decision to acquire or not to acquire a site;

11 (d) If there is no written contact for a period of 60 days to the  
12 department of commerce from a person connected with siting,  
13 recruitment, expansion, retention, or relocation of that person's  
14 business, information described in (a) (ii) of this subsection will be  
15 available to the public under this chapter;

16 (13) Financial and proprietary information submitted to or  
17 obtained by the department of ecology or the authority created under  
18 chapter 70A.500 RCW to implement chapter 70A.500 RCW;

19 (14) Financial, commercial, operations, and technical and  
20 research information and data submitted to or obtained by the life  
21 sciences discovery fund authority in applications for, or delivery  
22 of, grants under RCW 43.330.502, to the extent that such information,  
23 if revealed, would reasonably be expected to result in private loss  
24 to the providers of this information;

25 (15) Financial and commercial information provided as evidence to  
26 the department of licensing as required by RCW 19.112.110 or  
27 19.112.120, except information disclosed in aggregate form that does  
28 not permit the identification of information related to individual  
29 fuel licensees;

30 (16) Any production records, mineral assessments, and trade  
31 secrets submitted by a permit holder, mine operator, or landowner to  
32 the department of natural resources under RCW 78.44.085;

33 (17) (a) Farm plans developed by conservation districts, unless  
34 permission to release the farm plan is granted by the landowner or  
35 operator who requested the plan, or the farm plan is used for the  
36 application or issuance of a permit;

37 (b) Farm plans developed under chapter 90.48 RCW and not under  
38 the federal clean water act, 33 U.S.C. Sec. 1251 et seq., are subject  
39 to RCW 42.56.610 and 90.64.190;

1 (18) Financial, commercial, operations, and technical and  
2 research information and data submitted to or obtained by a health  
3 sciences and services authority in applications for, or delivery of,  
4 grants under RCW 35.104.010 through 35.104.060, to the extent that  
5 such information, if revealed, would reasonably be expected to result  
6 in private loss to providers of this information;

7 (19) Information gathered under chapter 19.85 RCW or RCW  
8 34.05.328 that can be identified to a particular business;

9 (20) Financial and commercial information submitted to or  
10 obtained by the University of Washington, other than information the  
11 university is required to disclose under RCW 28B.20.150, when the  
12 information relates to investments in private funds, to the extent  
13 that such information, if revealed, would reasonably be expected to  
14 result in loss to the University of Washington consolidated endowment  
15 fund or to result in private loss to the providers of this  
16 information;

17 (21) Market share data submitted by a manufacturer under RCW  
18 70A.500.190(4);

19 (22) Financial information supplied to the department of  
20 financial institutions, when filed by or on behalf of an issuer of  
21 securities for the purpose of obtaining the exemption from state  
22 securities registration for small securities offerings provided under  
23 RCW 21.20.880 or when filed by or on behalf of an investor for the  
24 purpose of purchasing such securities;

25 (23) Unaggregated or individual notices of a transfer of crude  
26 oil that is financial, proprietary, or commercial information,  
27 submitted to the department of ecology pursuant to RCW  
28 90.56.565(1)(a), and that is in the possession of the department of  
29 ecology or any entity with which the department of ecology has shared  
30 the notice pursuant to RCW 90.56.565;

31 (24) Financial institution and retirement account information,  
32 and building security plan information, supplied to the liquor and  
33 cannabis board pursuant to RCW 69.50.325, 69.50.331, 69.50.342, and  
34 69.50.345, when filed by or on behalf of a licensee or prospective  
35 licensee for the purpose of obtaining, maintaining, or renewing a  
36 license to produce, process, transport, or sell cannabis as allowed  
37 under chapter 69.50 RCW;

38 (25) Cannabis transport information, vehicle and driver  
39 identification data, and account numbers or unique access identifiers  
40 issued to private entities for traceability system access, submitted

1 by an individual or business to the liquor and cannabis board under  
2 the requirements of RCW 69.50.325, 69.50.331, 69.50.342, and  
3 69.50.345 for the purpose of cannabis product traceability.  
4 Disclosure to local, state, and federal officials is not considered  
5 public disclosure for purposes of this section;

6 (26) Financial and commercial information submitted to or  
7 obtained by the retirement board of any city that is responsible for  
8 the management of an employees' retirement system pursuant to the  
9 authority of chapter 35.39 RCW, when the information relates to  
10 investments in private funds, to the extent that such information, if  
11 revealed, would reasonably be expected to result in loss to the  
12 retirement fund or to result in private loss to the providers of this  
13 information except that (a) the names and commitment amounts of the  
14 private funds in which retirement funds are invested and (b) the  
15 aggregate quarterly performance results for a retirement fund's  
16 portfolio of investments in such funds are subject to disclosure;

17 (27) Proprietary financial, commercial, operations, and technical  
18 and research information and data submitted to or obtained by the  
19 liquor and cannabis board in applications for cannabis research  
20 licenses under RCW 69.50.372, or in reports submitted by cannabis  
21 research licensees in accordance with rules adopted by the liquor and  
22 cannabis board under RCW 69.50.372;

23 (28) Trade secrets, technology, proprietary information, and  
24 financial considerations contained in any agreements or contracts,  
25 entered into by a licensed cannabis business under RCW 69.50.395,  
26 which may be submitted to or obtained by the state liquor and  
27 cannabis board;

28 (29) Financial, commercial, operations, and technical and  
29 research information and data submitted to or obtained by the Andy  
30 Hill cancer research endowment program in applications for, or  
31 delivery of, grants under chapter 43.348 RCW, to the extent that such  
32 information, if revealed, would reasonably be expected to result in  
33 private loss to providers of this information;

34 (30) Proprietary information filed with the department of health  
35 under chapter 69.48 RCW;

36 (31) Records filed with the department of ecology under chapter  
37 70A.515 RCW that a court has determined are confidential valuable  
38 commercial information under RCW 70A.515.130; (~~and~~)

39 (32) Unaggregated financial, proprietary, or commercial  
40 information submitted to or obtained by the liquor and cannabis board

1 in applications for licenses under RCW 66.24.140 or 66.24.145, or in  
2 any reports or remittances submitted by a person licensed under RCW  
3 66.24.140 or 66.24.145 under rules adopted by the liquor and cannabis  
4 board under chapter 66.08 RCW; and

5 (33) Any data collected by the department of commerce to  
6 implement RCW 43.31.970(3).

7 **Sec. 103.** RCW 47.01.520 and 2021 c 300 s 2 are each amended to  
8 read as follows:

9 (1) The department, through the department's public-private  
10 partnership office and in consultation with the department of  
11 ecology, the department of commerce, and the office of equity, must  
12 develop and maintain a publicly available mapping and forecasting  
13 tool that provides locations and essential information of charging  
14 and refueling infrastructure to support forecasted levels of electric  
15 vehicle adoption, travel, and usage across Washington state.

16 (2) (a) The publicly available mapping and forecasting tool must  
17 be designed to enable coordinated, effective, efficient, and timely  
18 deployment of charging and refueling infrastructure necessary to  
19 support statewide and local transportation electrification efforts  
20 that result in emissions reductions consistent with RCW 70A.45.020.

21 (b) The tool must:

22 (i) Initially prioritize on-road transportation;

23 (ii) ~~((To the greatest extent possible, maintain))~~ Incorporate  
24 the latest data on public and shared use charging from the inventory  
25 of electric vehicle supply equipment as specified in RCW 43.31.970;

26 (iii) ~~((Model charging and))~~ Use electric vehicle supply  
27 equipment estimates as identified in the transportation  
28 electrification strategy under RCW 43.392.040 and model hydrogen  
29 refueling infrastructure that may be used by owners and operators of  
30 light, medium, and heavy duty vehicles; and

31 (iv) Incorporate the department's traffic data for passenger and  
32 freight vehicles.

33 (c) The tool must, if feasible:

34 (i) Provide the data necessary to support programs by state  
35 agencies that directly or indirectly support transportation  
36 electrification efforts;

37 (ii) Evolve over time to support future transportation  
38 electrification programs;



1 (iii) Provide data at a scale that supports electric utility  
2 planning for the impacts of transportation electrification both  
3 systemwide and on specific components of the distribution system; and

4 (iv) ~~((Forecast))~~ Use statewide zero emissions vehicle ~~((use that~~  
5 ~~would achieve the emissions reductions consistent with RCW~~  
6 ~~70A.45.020))~~ estimates from the transportation electrification  
7 strategy under RCW 43.392.040. The department may reference  
8 ~~((existing))~~ zero emissions vehicle use forecasts that update the  
9 transportation electrification strategy estimates, such as that  
10 established in the state energy strategy.

11 (3) The department, in consultation with the department of  
12 commerce, the department of ecology, and the office of equity, may  
13 elect to include other transportation charging and refueling  
14 infrastructure, such as maritime, public transportation, and aviation  
15 in the mapping and forecasting tool.

16 (4) The tool must include, to the extent feasible, the following  
17 elements:

18 (a) The amount, type, location, and year of installation for  
19 electric vehicle supply equipment that is expected to be necessary to  
20 support forecasted electric vehicle penetration and usage within the  
21 state;

22 (b) Electric vehicle adoption, usage, technological profiles, and  
23 any other characteristics necessary to model future electric vehicle  
24 penetration levels and use cases that impact electric vehicle supply  
25 equipment needs within the state;

26 (c) The estimated energy and capacity demand based on inputs from  
27 (b) of this subsection;

28 (d) Boundaries of political subdivisions including, but not  
29 limited to:

30 (i) Retail electricity suppliers;

31 (ii) Public transportation agency boundaries;

32 (iii) Municipalities;

33 (iv) Counties; and

34 (v) Federally recognized tribal governments;

35 (e) Existing and known publicly or privately owned level 2,  
36 direct current fast charge, and refueling infrastructure. The  
37 department must identify gas stations, convenience stores, and other  
38 small retailers that are colocated with existing and known electric  
39 vehicle charging infrastructure identified under this subsection;

1 (f) A public interface designed to provide any user the ability  
2 to determine the forecasted charging and refueling infrastructure  
3 needs within a provided geographic boundary, including those listed  
4 under (d) of this subsection; and

5 (g) The ability for all data tracked within the tool to be  
6 downloadable or usable within a separate mapping and forecasting  
7 tool.

8 (5) The tool must, if feasible, integrate scenarios including:

9 (a) Varying levels of public transportation utilization;

10 (b) Varying levels of active transportation usage, such as biking  
11 or walking;

12 (c) Vehicle miles traveled amounts above and below the baseline;

13 (d) Adoption of autonomous and shared mobility services; and

14 (e) Forecasts capturing each utility service area's relative  
15 level of zero emissions vehicle use that would achieve each utility  
16 service area's relative emissions reductions consistent with ((RCW  
17 ~~70A.45.020~~)) estimates from the transportation electrification  
18 strategy under RCW 43.392.040.

19 (6) To support highly impacted communities and vulnerable  
20 populations disproportionately burdened by transportation-related  
21 emissions and to ensure economic and mobility benefits flow to  
22 communities that have historically received less investment in  
23 infrastructure, the mapping and forecasting tool must integrate  
24 population, health, environmental, and socioeconomic data on a census  
25 tract basis. The department may use existing data used by other state  
26 or federal agencies. The department must consult with the department  
27 of health, the office of equity, the department of ecology, and other  
28 agencies as necessary in order to ensure the tool properly integrates  
29 cumulative impact analyses best practices and to ensure that the tool  
30 is developed in coordination with other state government  
31 administrative efforts to identify disproportionately impacted  
32 communities.

33 (7) The mapping and forecasting tool must, to the extent  
34 appropriate, integrate related analyses, such as the department of  
35 commerce's state energy strategy, the joint transportation  
36 committee's public fleet electrification study, the west coast  
37 collaborative's alternative fuel infrastructure corridor coalition  
38 report, and other related electric vehicle supply equipment  
39 assessments as deemed appropriate. To the extent that the mapping and  
40 forecasting tool is used by the department as the basis for the

1 identification of recommended future electric vehicle charging sites,  
2 the department must consider recommending sites that are colocated  
3 with small retailers, including gas stations and convenience stores,  
4 and other amenities.

5 (8) Where appropriate and feasible, the mapping and forecasting  
6 tool must incorporate infrastructure located at or near the border in  
7 neighboring state and provincial jurisdictions.

8 (9) In designing the mapping and forecasting tool, the department  
9 must coordinate with the department of commerce, the department of  
10 ecology, the utilities and transportation commission, and other state  
11 agencies as needed in order to ensure the mapping and forecasting  
12 tool is able to successfully facilitate other state agency programs  
13 that involve deployment of electric vehicle supply equipment.

14 (10) The department must conduct a stakeholder process in  
15 developing the mapping and forecasting tool to ensure the tool  
16 supports the needs of communities, public agencies, and relevant  
17 private organizations. The stakeholder process must involve  
18 stakeholders((7)) including, but not limited to, electric utilities,  
19 early in the development of the tool.

20 (11) The department may contract with the department of commerce  
21 or consultants, or both, to develop and implement all or portions of  
22 the mapping and forecasting tool. The department may rely on or, to  
23 the extent necessary, contract for privately maintained data  
24 sufficient to develop the elements specified in subsection (4) of  
25 this section.

26 (12) The definitions in this subsection apply throughout this  
27 section unless the context clearly requires otherwise.

28 (a) "Charging infrastructure" means a unit of fueling  
29 infrastructure that supplies electric energy for the recharging of  
30 battery electric vehicles.

31 (b) "Direct current fast charger" means infrastructure that  
32 supplies electricity to battery electric vehicles at capacities no  
33 less than 50 kilowatts, typically using 208/408 volt three-phase  
34 direct current electricity.

35 (c) "Electric vehicle" means any craft, vessel, automobile,  
36 public transportation vehicle, or equipment that transports people or  
37 goods and operates, either partially or exclusively, on electrical  
38 energy from an off-board source that is stored onboard for motive  
39 purpose.

1 (d) "Electric vehicle supply equipment" means charging  
2 infrastructure and hydrogen refueling infrastructure.

3 (e) "Level 2 charger" means infrastructure that supplies  
4 electricity to battery electric vehicles at 240 volts and equal to or  
5 less than 80 amps.

6 (f) "Refueling infrastructure" means a unit of fueling  
7 infrastructure that supplies hydrogen for the resupply of hydrogen  
8 fuel cell electric vehicles.

9 **PART II**

10 **ELECTRIC UTILITY TRANSPORTATION ELECTRIFICATION INVESTMENTS**

11 **Sec. 201.** RCW 35.92.450 and 2019 c 109 s 2 are each amended to  
12 read as follows:

13 (1) The governing authority of an electric utility formed under  
14 this chapter may adopt an electrification of transportation plan  
15 that (~~(, at a minimum, establishes a finding that)~~) provides utility  
16 outreach and investment in the electrification of transportation  
17 infrastructure (~~((does not increase net costs to ratepayers in excess~~  
18 ~~of one-quarter of one percent))~~).

19 (2) Beginning July 1, 2025, in making investments under  
20 subsection (1) of this section, the governing authority must:

21 (a) Prioritize strategies for electric utilities to implement  
22 including, but not limited to:

23 (i) Residential and fleet charging;

24 (ii) Demand management, including managed charging; and

25 (iii) Upgrades to, or expansions of, utility owned and operated  
26 grid infrastructure for the purposes of delivering power to electric  
27 vehicle supply equipment.

28 (b) Meet or exceed the same equity-related investment  
29 requirements in RCW 70A.535.080 as implemented by the department of  
30 ecology.

31 (3) In adopting an electrification of transportation plan under  
32 subsection (1) of this section, the governing authority may consider  
33 some or all of the following: (a) The applicability of multiple  
34 options for electrification of transportation across all customer  
35 classes; (b) the impact of electrification on the utility's load, and  
36 whether demand response or other load management opportunities,  
37 including direct load control and dynamic pricing, are operationally  
38 appropriate; (c) system reliability and distribution system

1 efficiencies; (d) interoperability concerns, including the  
2 interoperability of hardware and software systems in electrification  
3 of transportation proposals; and (e) overall customer experience.

4 ~~((3))~~ (4) An electric utility formed under this chapter may,  
5 upon making a determination in accordance with subsection (1) of this  
6 section, offer incentive programs in the electrification of  
7 transportation for its customers, including the promotion of electric  
8 vehicle adoption and advertising programs to promote the utility's  
9 services, incentives, or rebates.

10 **Sec. 202.** RCW 54.16.430 and 2019 c 109 s 3 are each amended to  
11 read as follows:

12 (1) The commission of a public utility district may adopt an  
13 electrification of transportation plan that ~~((, at a minimum,~~  
14 ~~establishes a finding that))~~ provides utility outreach and investment  
15 in the electrification of transportation infrastructure ~~((does not~~  
16 ~~increase net costs to ratepayers in excess of one-quarter of one~~  
17 ~~percent))~~.

18 (2) Beginning July 1, 2025, in making investments under  
19 subsection (1) of this section, a public utility district must:

20 (a) Prioritize strategies for electric utilities to implement  
21 including, but not limited to:

22 (i) Residential and fleet charging;

23 (ii) Demand management, including managed charging; and

24 (iii) Upgrades to, or expansions of, utility owned and operated  
25 grid infrastructure for the purposes of delivering power to electric  
26 vehicle supply equipment.

27 (b) Meet or exceed the same equity-related investment  
28 requirements in RCW 70A.535.080 as implemented by the department of  
29 ecology.

30 (3) In adopting an electrification of transportation plan under  
31 subsection (1) of this section, the ~~((commission of a))~~ public  
32 utility district may consider some or all of the following: (a) The  
33 applicability of multiple options for electrification of  
34 transportation across all customer classes; (b) the impact of  
35 electrification on the district's load, and whether demand response  
36 or other load management opportunities, including direct load control  
37 and dynamic pricing, are operationally appropriate; (c) system  
38 reliability and distribution system efficiencies; (d)  
39 interoperability concerns, including the interoperability of hardware

1 and software systems in electrification of transportation proposals;  
2 and (e) overall customer experience.

3 ~~((3))~~ (4) A public utility district may, upon making a  
4 determination in accordance with subsection (1) of this section,  
5 offer incentive programs in the electrification of transportation for  
6 its customers, including the promotion of electric vehicle adoption  
7 and advertising programs to promote the district's services,  
8 incentives, or rebates.

9 **Sec. 203.** RCW 80.28.360 and 2019 c 287 s 6 are each amended to  
10 read as follows:

11 (1) In establishing rates for each electrical company regulated  
12 under this title, the commission may allow an incentive rate of  
13 return on investment ~~((through December 31, 2030,))~~ on capital  
14 expenditures for electric vehicle supply equipment that is deployed  
15 for the benefit of ratepayers ~~((, provided that the capital  
16 expenditures of the utilities' programs or plans in RCW 80.28.365(1)  
17 do not increase the annual retail revenue requirement of the utility,  
18 after accounting for the benefits of transportation electrification  
19 in each year of the plan, in excess of one-quarter of one percent))~~.  
20 The commission must consider and may adopt other policies to improve  
21 access to and promote fair competition in the provision of electric  
22 vehicle supply equipment.

23 (2) An incentive rate of return on investment under this section  
24 may be allowed only if ~~((the))~~:

25 (a) The company chooses to pursue capital investment in electric  
26 vehicle supply equipment on a fully regulated basis similar to other  
27 capital investments behind a customer's meter. In the case of an  
28 incentive rate of return on investment allowed under this section, an  
29 increment of up to two percent must be added to the rate of return on  
30 common equity allowed on the company's other investments.

31 (b) Beginning July 1, 2025, the company prioritizes strategies  
32 for electric utilities to implement including, but not limited to:

- 33 (i) Residential and fleet charging;
- 34 (ii) Demand management, including managed charging; and
- 35 (iii) Upgrades to, or expansions of, utility owned and operated  
36 grid infrastructure for the purposes of delivering power to electric  
37 vehicle supply equipment.

1 (c) The company meets or exceeds the same equity-related  
2 investment requirements in RCW 70A.535.080 as implemented by the  
3 department of ecology or a higher standard as set by the commission.

4 (3) The incentive rate of return on investment authorized in  
5 subsection (2) of this section applies only to projects which have  
6 been installed after July 1, 2015.

7 (4) The incentive rate of return on investment increment pursuant  
8 to this section may be earned only for a period up to the depreciable  
9 life of the electric vehicle supply equipment as defined in the  
10 depreciation schedules developed by the company and submitted to the  
11 commission for review. When the capital investment has fully  
12 depreciated, an electrical company may gift the electric vehicle  
13 supply equipment to the owner of the property on which it is located.

14 (5) By December 31, 2017, the commission must report to the  
15 appropriate committees of the legislature with regard to the use of  
16 any incentives allowed under this section, the quantifiable impacts  
17 of the incentives on actual electric vehicle deployment, and any  
18 recommendations to the legislature about utility participation in the  
19 electric vehicle market.

20 **PART III**

21 **ROLLING RESISTANCE OF REPLACEMENT TIRES**

22 NEW SECTION. **Sec. 301.** The legislature finds that:

23 (1) Rolling resistance of tires has a significant effect on the  
24 fuel efficiency of motor vehicles, and the sales of high rolling  
25 resistance replacement tires when low rolling resistance tire  
26 technology is in use by new vehicles costs the average gasoline  
27 vehicle driver the equivalent of approximately two-thirds the state  
28 gas tax;

29 (2) Testing of available tires in the United States market,  
30 commissioned by the pacific electric and gas company and conducted by  
31 an independent consultant, demonstrated no negative correlation  
32 between low rolling resistance and tire safety or tire longevity;

33 (3) Analysis conducted by the department's energy policy office  
34 shows adoption of reasonable replacement tire energy efficiency  
35 standards could result in an approximate cumulative reduction of  
36 600,000,000 gallons of gasoline and 1,500 gigawatt hours of  
37 electricity, equating to a savings of \$3,000,000,000 in  
38 transportation costs for Washington drivers and 5,000,000 metric tons

1 of carbon dioxide from 2026 to 2035, assuming a 10 percent reduction  
2 in rolling resistance improves gasoline fuel efficiency by three  
3 percent and electricity fuel efficiency by eight percent;

4 (4) The transportation electrification strategy required in RCW  
5 43.392.040 concludes that the state must also urgently pursue  
6 nonelectrification policies, including lower rolling resistance  
7 replacement tires, to comply with the greenhouse gas emissions limits  
8 in RCW 70A.45.020.

9 (5) Providing authority to the department to adopt energy  
10 efficiency standards for replacement tires sold in the state could  
11 therefore lower gasoline and electricity costs for drivers, reduce  
12 greenhouse gas emissions, and improve public health especially for  
13 overburdened communities near highways through reduced  
14 transportation-related air pollution.

15 NEW SECTION. **Sec. 302.** The definitions in this section apply  
16 throughout this chapter unless the context clearly requires  
17 otherwise.

18 (1) "Department" means the department of commerce.

19 (2) "Light duty truck" means any motor vehicle other than a  
20 passenger car with a gross vehicle weight rating not exceeding 10,000  
21 pounds.

22 (3) "Passenger car" means any motor vehicle designed primarily  
23 for transportation of persons, having a design capacity of 12 persons  
24 or less, with a gross vehicle weight rating not exceeding 10,000  
25 pounds.

26 (4) "Replacement tire" means a passenger car or light duty truck  
27 tire sold or offered for sale in the state, except a tire sold:

28 (a) At wholesale for final retail sale outside the state; or

29 (b) With a new passenger car or light duty truck.

30 (5) "Rolling resistance coefficient" means the ratio of the  
31 rolling resistance force, in newtons, to the load on the tire in  
32 kilonewtons.

33 (6) "Tire brand name owner" means a person, other than a tire  
34 manufacturer, who owns or has the right to control the brand name of  
35 a tire or a person who licenses another to purchase tires from a tire  
36 manufacturer bearing the licensor's brand name.

37 (7) "Tire manufacturer" means a person, parent corporation,  
38 subsidiary, affiliate, or any other entity, other than a tire  
39 retailer, who manufactures or assembles replacement tires, or imports



1 or distributes replacement tires in or into Washington for sale or  
2 use in Washington.

3 (8) "Tire retailer" means a dealer or distributor in the state,  
4 other than a tire brand name owner, that does not manufacture tires  
5 and sells replacement tires directly to a Washington resident.

6 NEW SECTION. **Sec. 303.** (1) This section applies to either  
7 passenger car replacement tires or light duty truck replacement  
8 tires, or both, for sale or offered for sale in Washington.

9 (2) The department, to establish and enforce energy efficiency  
10 standards for replacement tires, may adopt and implement any  
11 combination of the following:

12 (a) A database of replacement tires in production offered for  
13 sale or distribution in the state;

14 (b) Requirements for any tire brand name owners and tire  
15 manufacturers with replacement tires in production offered for sale  
16 or distribution in the state to report information necessary to  
17 implement this section;

18 (c) A rating system for the energy efficiency of replacement  
19 tires based on their rolling resistance coefficient;

20 (d) Testing procedures in alignment with enacted regulations by  
21 the national highway transportation safety administration as they  
22 existed as of the effective date of this section; and

23 (e) Minimum energy efficiency standards for replacement tires  
24 based on their rolling resistance.

25 (3)(a) The department may prohibit the sale or offer for sale of  
26 replacement tires that do not meet the minimum energy efficiency  
27 standards set in subsection (2) of this section.

28 (b) Any rules adopted by the department prohibiting the sale or  
29 offer for sale of replacement tires based on their rolling  
30 resistance:

31 (i) May not adversely affect tire safety or tire longevity as  
32 demonstrated by the testing of wet grip or traction and treadwear by  
33 an independent analyst prepared for the department in consultation  
34 with the Washington state patrol and as informed by and consistent  
35 with any analysis conducted by the national highway traffic safety  
36 administration;

37 (ii) Must consider cost impacts and product availability on tire  
38 consumers;

1 (iii) Must provide exemptions for snow tires, spare use tires,  
2 tires manufactured specifically for use in vehicles with three or  
3 fewer wheels, tires manufactured specifically for use in vehicles  
4 participating in an organized racing or competitive event conducted  
5 by a recognized sanctioning body, tires manufactured specifically for  
6 use in off-road recreational vehicles, or tires manufactured  
7 specifically for use in farm tractors or farm vehicles as defined in  
8 RCW 46.04.181;

9 (iv) Must provide exemptions for authorized emergency vehicles as  
10 defined in RCW 46.04.040 that are unable to meet the standards in  
11 subsection (2) of this section;

12 (v) Must coordinate with the department of ecology to consider  
13 the impacts of rolling resistance on use of 6PPD in replacement  
14 tires; and

15 (vi) May not take effect before January 1, 2028.

16 (4) The department may require energy efficiency ratings  
17 determined under the rating system in subsection (2) of this section  
18 be displayed to consumers at the physical or online point of sale.

19 (5) If developing standards in subsection (2)(e) of this section,  
20 the department shall consider information submitted by tire industry  
21 representatives, including tire brand name owners and tire  
22 manufacturers, during a rule-making process as required in section  
23 304 of this act. The department may classify information submitted by  
24 industry representatives as confidential information not subject to  
25 public disclosure if such a classification is requested by industry  
26 representatives and considered in the public interest by the  
27 department. Nothing in this subsection prohibits the department from  
28 adopting rules if industry representatives fail to submit information  
29 as requested by the department.

30 (6) The department is encouraged to coordinate with the  
31 California energy commission when implementing this section to pursue  
32 common standards, reporting requirements, and labeling that reduces  
33 compliance costs for the industry.

34 NEW SECTION. **Sec. 304.** (1) If acting on authority granted in  
35 this chapter, the department shall adopt and amend rules as necessary  
36 to implement, administer, and enforce this chapter.

37 (a) Tire brand name owners and tire manufacturers who violate  
38 rules adopted to implement this chapter may be issued a warning by  
39 the department, or another state agency as designated by the

1 department, for any first violation. Repeat violations are subject to  
2 a civil penalty ranging from \$100 to \$10,000 per occurrence.

3 (b) Tire retailers who violate rules adopted to implement this  
4 chapter may be issued a warning by the department, or another state  
5 agency as designated by the department, for any first violation.  
6 Repeat violations are subject to a civil penalty ranging from \$100 to  
7 \$1,000 per occurrence.

8 (c) The department shall issue warnings and civil penalties to  
9 tire brand name owners and tire manufacturers, and not tire  
10 retailers, for violations of rules implementing section 303(3) of  
11 this act if the tire brand name owner or tire manufacturer falsely  
12 reports compliance to the tire retailer or the department.

13 (d) The department, or another state agency as designated by the  
14 department, may carry out inspections of replacement tires sold or  
15 offered for sale.

16 (2) Rules adopted to implement this chapter, except for emergency  
17 rules consistent with RCW 34.05.350, must go into effect no sooner  
18 than one year following final rule adoption.

19 NEW SECTION. **Sec. 305.** A new section is added to chapter 46.37  
20 RCW to read as follows:

21 The chief of the Washington state patrol may update rules  
22 authorized in this chapter to reference rules adopted by the  
23 department of commerce as authorized by section 304 of this act to  
24 ensure better clarity and compliance.

25 **Sec. 306.** RCW 46.37.423 and 2010 c 8 s 9053 are each amended to  
26 read as follows:

27 (1) No person, firm, or corporation shall sell or offer for sale  
28 for use on the public highways of this state any new pneumatic  
29 passenger car tire (~~(which)~~) that does not meet (~~(the)~~):

30 (a) The standards established by federal motor vehicle safety  
31 standard No. 109, as (~~(promulgated)~~) adopted and updated by the  
32 United States department of transportation under authority of the  
33 National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 719,  
34 728; 15 U.S.C. 1392, 1407); and

35 (b) Energy efficiency standards for replacement tires established  
36 by the department of commerce as authorized by sections 301 through  
37 307 of this act.



1 vehicle weight rating of more than 10,000 pounds or any diesel-fueled  
2 auxiliary power system to comply with the following requirements:

3 (a) No vehicle subject to this chapter may idle for more than  
4 five consecutive minutes at any location in the state of Washington.

5 (b) No diesel-fueled auxiliary power system subject to this  
6 chapter may be operated for more than five minutes at any location  
7 within 100 feet of a restricted area.

8 (2) In consultation with applicable state agencies, the  
9 department of ecology must provide exemptions to the requirements  
10 under subsection (1) of this section including, but not limited to,  
11 allowances for instances of extreme weather, emergency events such as  
12 active fire or law enforcement activities, worker safety or required  
13 accommodations, food safety, pretrip inspections for public transit  
14 vehicles, or school buses loading and unloading passengers while on  
15 routes, and for trucks providing a direct power source for  
16 operations.

17 (3) For the purposes of this section:

18 (a) "Auxiliary power system" means any device that is permanently  
19 dedicated to the vehicle on which it is installed and provides  
20 electrical, mechanical, or thermal energy to the primary diesel  
21 engine, truck cab or sleeper berth, bus passenger compartment, or any  
22 other commercial vehicle cab, as an alternative to idling the primary  
23 diesel engine. "Auxiliary power system" includes internal combustion  
24 engine auxiliary power systems, fuel-fired heaters, and battery-  
25 electric auxiliary power systems.

26 (b) "Restricted area" means any real property zoned for  
27 individual or multifamily housing units, schools, hotels, motels,  
28 hospitals, senior care facilities, or child care facilities in the  
29 state of Washington.

30 NEW SECTION. **Sec. 403.** (1) The department of ecology must  
31 initiate a rule-making process to provide for civil penalties and  
32 enforcement procedures to implement and enforce section 402 of this  
33 act. Such rules must be consistent with rules adopted to implement  
34 and enforce motor vehicle emissions standards adopted under RCW  
35 70A.30.010. Such rules must also provide for civil penalties for  
36 violations ranging from \$300 to \$1,000 per violation per day. Any  
37 person who is more than 90 days late with such a penalty payment may  
38 be subject to an additional penalty equal to three times the amount  
39 of the original amount owed.

1 (2) The legislature may direct the department to create and  
2 administer a fee structure to cover the costs of implementing and  
3 enforcing section 402 of this act.

4 NEW SECTION. **Sec. 404.** Any peace officer, pursuant to RCW  
5 43.43.030, and any air pollution control authority created under  
6 chapter 70A.15 RCW may issue civil penalties for violations described  
7 under section 402 of this act.

8 NEW SECTION. **Sec. 405.** The idling prevention enforcement  
9 account is created in the state treasury. All receipts from civil  
10 penalties generated under this chapter from idling violations must be  
11 deposited into the account. Moneys in the account may be spent only  
12 after appropriation. Expenditures from the account may be used for:

13 (1) Enforcement activities required in section 403 of this act  
14 and authorized under section 404 of this act;

15 (2) Incentives for idle reduction technologies; or

16 (3) Incentives for zero emissions vehicles with gross vehicle  
17 weight ratings of more than 10,000 pounds.

18 NEW SECTION. **Sec. 406.** Sections 401 through 405 of this act  
19 constitute a new chapter in Title 70A RCW.

## 20 **PART V**

### 21 **ELECTRIC VEHICLE INFRASTRUCTURE TRAINING**

22 NEW SECTION. **Sec. 501.** A new section is added to chapter 43.01  
23 RCW to read as follows:

24 Any state agency subject to the requirements of executive order  
25 21-04 must require that the installation of electric vehicle supply  
26 equipment at state-owned facilities be performed by persons certified  
27 by the electric vehicle infrastructure training program or a  
28 similarly accredited program to ensure safety, effectiveness, and  
29 achieve consistency in labor standards. This section does not apply  
30 to installation projects under contract as of the effective date of  
31 this section.

**PART VI**  
**MISCELLANEOUS**

**Sec. 601.** RCW 43.84.092 and 2023 c 435 s 13, 2023 c 431 s 9, 2023 c 389 s 9, 2023 c 377 s 6, 2023 c 340 s 9, 2023 c 110 s 2, 2023 c 73 s 9, and 2023 c 41 s 3 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

1 (a) The following accounts and funds shall receive their  
2 proportionate share of earnings based upon each account's and fund's  
3 average daily balance for the period: The abandoned recreational  
4 vehicle disposal account, the aeronautics account, the Alaskan Way  
5 viaduct replacement project account, the ambulance transport fund,  
6 the brownfield redevelopment trust fund account, the budget  
7 stabilization account, the capital vessel replacement account, the  
8 capitol building construction account, the Central Washington  
9 University capital projects account, the charitable, educational,  
10 penal and reformatory institutions account, the Chehalis basin  
11 account, the Chehalis basin taxable account, the cleanup settlement  
12 account, the climate active transportation account, the climate  
13 transit programs account, the Columbia river basin water supply  
14 development account, the Columbia river basin taxable bond water  
15 supply development account, the Columbia river basin water supply  
16 revenue recovery account, the common school construction fund, the  
17 community forest trust account, the connecting Washington account,  
18 the county arterial preservation account, the county criminal justice  
19 assistance account, the covenant homeownership account, the deferred  
20 compensation administrative account, the deferred compensation  
21 principal account, the department of licensing services account, the  
22 department of retirement systems expense account, the developmental  
23 disabilities community services account, the diesel idle reduction  
24 account, the opioid abatement settlement account, the drinking water  
25 assistance account, the administrative subaccount of the drinking  
26 water assistance account, the early learning facilities development  
27 account, the early learning facilities revolving account, the Eastern  
28 Washington University capital projects account, the education  
29 construction fund, the education legacy trust account, the election  
30 account, the electric vehicle account, the energy freedom account,  
31 the energy recovery act account, the essential rail assistance  
32 account, The Evergreen State College capital projects account, the  
33 fair start for kids account, the ferry bond retirement fund, the  
34 fish, wildlife, and conservation account, the freight mobility  
35 investment account, the freight mobility multimodal account, the  
36 grade crossing protective fund, the higher education retirement plan  
37 supplemental benefit fund, the Washington student loan account, the  
38 highway bond retirement fund, the highway infrastructure account, the  
39 highway safety fund, the hospital safety net assessment fund, the  
40 idling prevention enforcement account, the Interstate 5 bridge



1 replacement project account, the Interstate 405 and state route  
2 number 167 express toll lanes account, the judges' retirement  
3 account, the judicial retirement administrative account, the judicial  
4 retirement principal account, the limited fish and wildlife account,  
5 the local leasehold excise tax account, the local real estate excise  
6 tax account, the local sales and use tax account, the marine  
7 resources stewardship trust account, the medical aid account, the  
8 money-purchase retirement savings administrative account, the money-  
9 purchase retirement savings principal account, the motor vehicle  
10 fund, the motorcycle safety education account, the move ahead WA  
11 account, the move ahead WA flexible account, the multimodal  
12 transportation account, the multiuse roadway safety account, the  
13 municipal criminal justice assistance account, the oyster reserve  
14 land account, the pension funding stabilization account, the  
15 perpetual surveillance and maintenance account, the pilotage account,  
16 the pollution liability insurance agency underground storage tank  
17 revolving account, the public employees' retirement system plan 1  
18 account, the public employees' retirement system combined plan 2 and  
19 plan 3 account, the public facilities construction loan revolving  
20 account, the public health supplemental account, the public works  
21 assistance account, the Puget Sound capital construction account, the  
22 Puget Sound ferry operations account, the Puget Sound Gateway  
23 facility account, the Puget Sound taxpayer accountability account,  
24 the real estate appraiser commission account, the recreational  
25 vehicle account, the regional mobility grant program account, the  
26 reserve officers' relief and pension principal fund, the resource  
27 management cost account, the rural arterial trust account, the rural  
28 mobility grant program account, the rural Washington loan fund, the  
29 second injury fund, the sexual assault prevention and response  
30 account, the site closure account, the skilled nursing facility  
31 safety net trust fund, the small city pavement and sidewalk account,  
32 the special category C account, the special wildlife account, the  
33 state hazard mitigation revolving loan account, the state investment  
34 board expense account, the state investment board commingled trust  
35 fund accounts, the state patrol highway account, the state  
36 reclamation revolving account, the state route number 520 civil  
37 penalties account, the state route number 520 corridor account, the  
38 statewide broadband account, the statewide tourism marketing account,  
39 the supplemental pension account, the Tacoma Narrows toll bridge  
40 account, the teachers' retirement system plan 1 account, the

1 teachers' retirement system combined plan 2 and plan 3 account, the  
2 tobacco prevention and control account, the tobacco settlement  
3 account, the toll facility bond retirement account, the  
4 transportation 2003 account (nickel account), the transportation  
5 equipment fund, the JUDY transportation future funding program  
6 account, the transportation improvement account, the transportation  
7 improvement board bond retirement account, the transportation  
8 infrastructure account, the transportation partnership account, the  
9 traumatic brain injury account, the University of Washington bond  
10 retirement fund, the University of Washington building account, the  
11 voluntary cleanup account, the volunteer firefighters' relief and  
12 pension principal fund, the volunteer firefighters' and reserve  
13 officers' administrative fund, the vulnerable roadway user education  
14 account, the Washington judicial retirement system account, the  
15 Washington law enforcement officers' and firefighters' system plan 1  
16 retirement account, the Washington law enforcement officers' and  
17 firefighters' system plan 2 retirement account, the Washington public  
18 safety employees' plan 2 retirement account, the Washington school  
19 employees' retirement system combined plan 2 and 3 account, the  
20 Washington state patrol retirement account, the Washington State  
21 University building account, the Washington State University bond  
22 retirement fund, the water pollution control revolving administration  
23 account, the water pollution control revolving fund, the Western  
24 Washington University capital projects account, the Yakima integrated  
25 plan implementation account, the Yakima integrated plan  
26 implementation revenue recovery account, and the Yakima integrated  
27 plan implementation taxable bond account. Earnings derived from  
28 investing balances of the agricultural permanent fund, the normal  
29 school permanent fund, the permanent common school fund, the  
30 scientific permanent fund, and the state university permanent fund  
31 shall be allocated to their respective beneficiary accounts.

32 (b) Any state agency that has independent authority over accounts  
33 or funds not statutorily required to be held in the state treasury  
34 that deposits funds into a fund or account in the state treasury  
35 pursuant to an agreement with the office of the state treasurer shall  
36 receive its proportionate share of earnings based upon each account's  
37 or fund's average daily balance for the period.

38 (5) In conformance with Article II, section 37 of the state  
39 Constitution, no treasury accounts or funds shall be allocated  
40 earnings without the specific affirmative directive of this section.

1       **Sec. 602.** RCW 43.84.092 and 2023 c 435 s 14, 2023 c 431 s 10,  
2 2023 c 389 s 10, 2023 c 377 s 7, 2023 c 340 s 10, 2023 c 110 s 3,  
3 2023 c 73 s 10, and 2023 c 41 s 4 are each reenacted and amended to  
4 read as follows:

5       (1) All earnings of investments of surplus balances in the state  
6 treasury shall be deposited to the treasury income account, which  
7 account is hereby established in the state treasury.

8       (2) The treasury income account shall be utilized to pay or  
9 receive funds associated with federal programs as required by the  
10 federal cash management improvement act of 1990. The treasury income  
11 account is subject in all respects to chapter 43.88 RCW, but no  
12 appropriation is required for refunds or allocations of interest  
13 earnings required by the cash management improvement act. Refunds of  
14 interest to the federal treasury required under the cash management  
15 improvement act fall under RCW 43.88.180 and shall not require  
16 appropriation. The office of financial management shall determine the  
17 amounts due to or from the federal government pursuant to the cash  
18 management improvement act. The office of financial management may  
19 direct transfers of funds between accounts as deemed necessary to  
20 implement the provisions of the cash management improvement act, and  
21 this subsection. Refunds or allocations shall occur prior to the  
22 distributions of earnings set forth in subsection (4) of this  
23 section.

24       (3) Except for the provisions of RCW 43.84.160, the treasury  
25 income account may be utilized for the payment of purchased banking  
26 services on behalf of treasury funds including, but not limited to,  
27 depository, safekeeping, and disbursement functions for the state  
28 treasury and affected state agencies. The treasury income account is  
29 subject in all respects to chapter 43.88 RCW, but no appropriation is  
30 required for payments to financial institutions. Payments shall occur  
31 prior to distribution of earnings set forth in subsection (4) of this  
32 section.

33       (4) Monthly, the state treasurer shall distribute the earnings  
34 credited to the treasury income account. The state treasurer shall  
35 credit the general fund with all the earnings credited to the  
36 treasury income account except:

37       (a) The following accounts and funds shall receive their  
38 proportionate share of earnings based upon each account's and fund's  
39 average daily balance for the period: The abandoned recreational  
40 vehicle disposal account, the aeronautics account, the Alaskan Way

1 viaduct replacement project account, the ambulance transport fund,  
2 the brownfield redevelopment trust fund account, the budget  
3 stabilization account, the capital vessel replacement account, the  
4 capitol building construction account, the Central Washington  
5 University capital projects account, the charitable, educational,  
6 penal and reformatory institutions account, the Chehalis basin  
7 account, the Chehalis basin taxable account, the cleanup settlement  
8 account, the climate active transportation account, the climate  
9 transit programs account, the Columbia river basin water supply  
10 development account, the Columbia river basin taxable bond water  
11 supply development account, the Columbia river basin water supply  
12 revenue recovery account, the common school construction fund, the  
13 community forest trust account, the connecting Washington account,  
14 the county arterial preservation account, the county criminal justice  
15 assistance account, the covenant homeownership account, the deferred  
16 compensation administrative account, the deferred compensation  
17 principal account, the department of licensing services account, the  
18 department of retirement systems expense account, the developmental  
19 disabilities community services account, the diesel idle reduction  
20 account, the opioid abatement settlement account, the drinking water  
21 assistance account, the administrative subaccount of the drinking  
22 water assistance account, the early learning facilities development  
23 account, the early learning facilities revolving account, the Eastern  
24 Washington University capital projects account, the education  
25 construction fund, the education legacy trust account, the election  
26 account, the electric vehicle account, the energy freedom account,  
27 the energy recovery act account, the essential rail assistance  
28 account, The Evergreen State College capital projects account, the  
29 fair start for kids account, the ferry bond retirement fund, the  
30 fish, wildlife, and conservation account, the freight mobility  
31 investment account, the freight mobility multimodal account, the  
32 grade crossing protective fund, the higher education retirement plan  
33 supplemental benefit fund, the Washington student loan account, the  
34 highway bond retirement fund, the highway infrastructure account, the  
35 highway safety fund, the hospital safety net assessment fund, the  
36 idling prevention enforcement account, the Interstate 5 bridge  
37 replacement project account, the Interstate 405 and state route  
38 number 167 express toll lanes account, the judges' retirement  
39 account, the judicial retirement administrative account, the judicial  
40 retirement principal account, the limited fish and wildlife account,

1 the local leasehold excise tax account, the local real estate excise  
2 tax account, the local sales and use tax account, the marine  
3 resources stewardship trust account, the medical aid account, the  
4 money-purchase retirement savings administrative account, the money-  
5 purchase retirement savings principal account, the motor vehicle  
6 fund, the motorcycle safety education account, the move ahead WA  
7 account, the move ahead WA flexible account, the multimodal  
8 transportation account, the multiuse roadway safety account, the  
9 municipal criminal justice assistance account, the oyster reserve  
10 land account, the pension funding stabilization account, the  
11 perpetual surveillance and maintenance account, the pilotage account,  
12 the pollution liability insurance agency underground storage tank  
13 revolving account, the public employees' retirement system plan 1  
14 account, the public employees' retirement system combined plan 2 and  
15 plan 3 account, the public facilities construction loan revolving  
16 account, the public health supplemental account, the public works  
17 assistance account, the Puget Sound capital construction account, the  
18 Puget Sound ferry operations account, the Puget Sound Gateway  
19 facility account, the Puget Sound taxpayer accountability account,  
20 the real estate appraiser commission account, the recreational  
21 vehicle account, the regional mobility grant program account, the  
22 reserve officers' relief and pension principal fund, the resource  
23 management cost account, the rural arterial trust account, the rural  
24 mobility grant program account, the rural Washington loan fund, the  
25 second injury fund, the sexual assault prevention and response  
26 account, the site closure account, the skilled nursing facility  
27 safety net trust fund, the small city pavement and sidewalk account,  
28 the special category C account, the special wildlife account, the  
29 state hazard mitigation revolving loan account, the state investment  
30 board expense account, the state investment board commingled trust  
31 fund accounts, the state patrol highway account, the state  
32 reclamation revolving account, the state route number 520 civil  
33 penalties account, the state route number 520 corridor account, the  
34 statewide broadband account, the statewide tourism marketing account,  
35 the supplemental pension account, the Tacoma Narrows toll bridge  
36 account, the teachers' retirement system plan 1 account, the  
37 teachers' retirement system combined plan 2 and plan 3 account, the  
38 tobacco prevention and control account, the tobacco settlement  
39 account, the toll facility bond retirement account, the  
40 transportation 2003 account (nickel account), the transportation

1 equipment fund, the JUDY transportation future funding program  
2 account, the transportation improvement account, the transportation  
3 improvement board bond retirement account, the transportation  
4 infrastructure account, the transportation partnership account, the  
5 traumatic brain injury account, the University of Washington bond  
6 retirement fund, the University of Washington building account, the  
7 voluntary cleanup account, the volunteer firefighters' relief and  
8 pension principal fund, the volunteer firefighters' and reserve  
9 officers' administrative fund, the vulnerable roadway user education  
10 account, the Washington judicial retirement system account, the  
11 Washington law enforcement officers' and firefighters' system plan 1  
12 retirement account, the Washington law enforcement officers' and  
13 firefighters' system plan 2 retirement account, the Washington public  
14 safety employees' plan 2 retirement account, the Washington school  
15 employees' retirement system combined plan 2 and 3 account, the  
16 Washington state patrol retirement account, the Washington State  
17 University building account, the Washington State University bond  
18 retirement fund, the water pollution control revolving administration  
19 account, the water pollution control revolving fund, the Western  
20 Washington University capital projects account, the Yakima integrated  
21 plan implementation account, the Yakima integrated plan  
22 implementation revenue recovery account, and the Yakima integrated  
23 plan implementation taxable bond account. Earnings derived from  
24 investing balances of the agricultural permanent fund, the normal  
25 school permanent fund, the permanent common school fund, the  
26 scientific permanent fund, and the state university permanent fund  
27 shall be allocated to their respective beneficiary accounts.

28 (b) Any state agency that has independent authority over accounts  
29 or funds not statutorily required to be held in the state treasury  
30 that deposits funds into a fund or account in the state treasury  
31 pursuant to an agreement with the office of the state treasurer shall  
32 receive its proportionate share of earnings based upon each account's  
33 or fund's average daily balance for the period.

34 (5) In conformance with Article II, section 37 of the state  
35 Constitution, no treasury accounts or funds shall be allocated  
36 earnings without the specific affirmative directive of this section.

37 **Sec. 603.** RCW 43.84.092 and 2023 c 435 s 14, 2023 c 431 s 10,  
38 2023 c 389 s 10, 2023 c 377 s 7, 2023 c 340 s 10, 2023 c 110 s 3,

1 2023 c 73 s 10, and 2023 c 41 s 4 are each reenacted and amended to  
2 read as follows:

3 (1) All earnings of investments of surplus balances in the state  
4 treasury shall be deposited to the treasury income account, which  
5 account is hereby established in the state treasury.

6 (2) The treasury income account shall be utilized to pay or  
7 receive funds associated with federal programs as required by the  
8 federal cash management improvement act of 1990. The treasury income  
9 account is subject in all respects to chapter 43.88 RCW, but no  
10 appropriation is required for refunds or allocations of interest  
11 earnings required by the cash management improvement act. Refunds of  
12 interest to the federal treasury required under the cash management  
13 improvement act fall under RCW 43.88.180 and shall not require  
14 appropriation. The office of financial management shall determine the  
15 amounts due to or from the federal government pursuant to the cash  
16 management improvement act. The office of financial management may  
17 direct transfers of funds between accounts as deemed necessary to  
18 implement the provisions of the cash management improvement act, and  
19 this subsection. Refunds or allocations shall occur prior to the  
20 distributions of earnings set forth in subsection (4) of this  
21 section.

22 (3) Except for the provisions of RCW 43.84.160, the treasury  
23 income account may be utilized for the payment of purchased banking  
24 services on behalf of treasury funds including, but not limited to,  
25 depository, safekeeping, and disbursement functions for the state  
26 treasury and affected state agencies. The treasury income account is  
27 subject in all respects to chapter 43.88 RCW, but no appropriation is  
28 required for payments to financial institutions. Payments shall occur  
29 prior to distribution of earnings set forth in subsection (4) of this  
30 section.

31 (4) Monthly, the state treasurer shall distribute the earnings  
32 credited to the treasury income account. The state treasurer shall  
33 credit the general fund with all the earnings credited to the  
34 treasury income account except:

35 (a) The following accounts and funds shall receive their  
36 proportionate share of earnings based upon each account's and fund's  
37 average daily balance for the period: The abandoned recreational  
38 vehicle disposal account, the aeronautics account, the Alaskan Way  
39 viaduct replacement project account, the brownfield redevelopment  
40 trust fund account, the budget stabilization account, the capital

1 vessel replacement account, the capitol building construction  
2 account, the Central Washington University capital projects account,  
3 the charitable, educational, penal and reformatory institutions  
4 account, the Chehalis basin account, the Chehalis basin taxable  
5 account, the cleanup settlement account, the climate active  
6 transportation account, the climate transit programs account, the  
7 Columbia river basin water supply development account, the Columbia  
8 river basin taxable bond water supply development account, the  
9 Columbia river basin water supply revenue recovery account, the  
10 common school construction fund, the community forest trust account,  
11 the connecting Washington account, the county arterial preservation  
12 account, the county criminal justice assistance account, the covenant  
13 homeownership account, the deferred compensation administrative  
14 account, the deferred compensation principal account, the department  
15 of licensing services account, the department of retirement systems  
16 expense account, the developmental disabilities community services  
17 account, the diesel idle reduction account, the opioid abatement  
18 settlement account, the drinking water assistance account, the  
19 administrative subaccount of the drinking water assistance account,  
20 the early learning facilities development account, the early learning  
21 facilities revolving account, the Eastern Washington University  
22 capital projects account, the education construction fund, the  
23 education legacy trust account, the election account, the electric  
24 vehicle account, the energy freedom account, the energy recovery act  
25 account, the essential rail assistance account, The Evergreen State  
26 College capital projects account, the fair start for kids account,  
27 the ferry bond retirement fund, the fish, wildlife, and conservation  
28 account, the freight mobility investment account, the freight  
29 mobility multimodal account, the grade crossing protective fund, the  
30 higher education retirement plan supplemental benefit fund, the  
31 Washington student loan account, the highway bond retirement fund,  
32 the highway infrastructure account, the highway safety fund, the  
33 hospital safety net assessment fund, the idling prevention  
34 enforcement account, the Interstate 5 bridge replacement project  
35 account, the Interstate 405 and state route number 167 express toll  
36 lanes account, the judges' retirement account, the judicial  
37 retirement administrative account, the judicial retirement principal  
38 account, the limited fish and wildlife account, the local leasehold  
39 excise tax account, the local real estate excise tax account, the  
40 local sales and use tax account, the marine resources stewardship



1 trust account, the medical aid account, the money-purchase retirement  
2 savings administrative account, the money-purchase retirement savings  
3 principal account, the motor vehicle fund, the motorcycle safety  
4 education account, the move ahead WA account, the move ahead WA  
5 flexible account, the multimodal transportation account, the multiuse  
6 roadway safety account, the municipal criminal justice assistance  
7 account, the oyster reserve land account, the pension funding  
8 stabilization account, the perpetual surveillance and maintenance  
9 account, the pilotage account, the pollution liability insurance  
10 agency underground storage tank revolving account, the public  
11 employees' retirement system plan 1 account, the public employees'  
12 retirement system combined plan 2 and plan 3 account, the public  
13 facilities construction loan revolving account, the public health  
14 supplemental account, the public works assistance account, the Puget  
15 Sound capital construction account, the Puget Sound ferry operations  
16 account, the Puget Sound Gateway facility account, the Puget Sound  
17 taxpayer accountability account, the real estate appraiser commission  
18 account, the recreational vehicle account, the regional mobility  
19 grant program account, the reserve officers' relief and pension  
20 principal fund, the resource management cost account, the rural  
21 arterial trust account, the rural mobility grant program account, the  
22 rural Washington loan fund, the second injury fund, the sexual  
23 assault prevention and response account, the site closure account,  
24 the skilled nursing facility safety net trust fund, the small city  
25 pavement and sidewalk account, the special category C account, the  
26 special wildlife account, the state hazard mitigation revolving loan  
27 account, the state investment board expense account, the state  
28 investment board commingled trust fund accounts, the state patrol  
29 highway account, the state reclamation revolving account, the state  
30 route number 520 civil penalties account, the state route number 520  
31 corridor account, the statewide broadband account, the statewide  
32 tourism marketing account, the supplemental pension account, the  
33 Tacoma Narrows toll bridge account, the teachers' retirement system  
34 plan 1 account, the teachers' retirement system combined plan 2 and  
35 plan 3 account, the tobacco prevention and control account, the  
36 tobacco settlement account, the toll facility bond retirement  
37 account, the transportation 2003 account (nickel account), the  
38 transportation equipment fund, the JUDY transportation future funding  
39 program account, the transportation improvement account, the  
40 transportation improvement board bond retirement account, the

1 transportation infrastructure account, the transportation partnership  
2 account, the traumatic brain injury account, the University of  
3 Washington bond retirement fund, the University of Washington  
4 building account, the voluntary cleanup account, the volunteer  
5 firefighters' relief and pension principal fund, the volunteer  
6 firefighters' and reserve officers' administrative fund, the  
7 vulnerable roadway user education account, the Washington judicial  
8 retirement system account, the Washington law enforcement officers'  
9 and firefighters' system plan 1 retirement account, the Washington  
10 law enforcement officers' and firefighters' system plan 2 retirement  
11 account, the Washington public safety employees' plan 2 retirement  
12 account, the Washington school employees' retirement system combined  
13 plan 2 and 3 account, the Washington state patrol retirement account,  
14 the Washington State University building account, the Washington  
15 State University bond retirement fund, the water pollution control  
16 revolving administration account, the water pollution control  
17 revolving fund, the Western Washington University capital projects  
18 account, the Yakima integrated plan implementation account, the  
19 Yakima integrated plan implementation revenue recovery account, and  
20 the Yakima integrated plan implementation taxable bond account.  
21 Earnings derived from investing balances of the agricultural  
22 permanent fund, the normal school permanent fund, the permanent  
23 common school fund, the scientific permanent fund, and the state  
24 university permanent fund shall be allocated to their respective  
25 beneficiary accounts.

26 (b) Any state agency that has independent authority over accounts  
27 or funds not statutorily required to be held in the state treasury  
28 that deposits funds into a fund or account in the state treasury  
29 pursuant to an agreement with the office of the state treasurer shall  
30 receive its proportionate share of earnings based upon each account's  
31 or fund's average daily balance for the period.

32 (5) In conformance with Article II, section 37 of the state  
33 Constitution, no treasury accounts or funds shall be allocated  
34 earnings without the specific affirmative directive of this section.

35 NEW SECTION. **Sec. 604.** If any provision of this act or its  
36 application to any person or circumstance is held invalid, the  
37 remainder of the act or the application of the provision to other  
38 persons or circumstances is not affected.

1        NEW SECTION.    **Sec. 605.**    (1) Section 601 of this act expires July  
2 1, 2024.

3        (2) Section 602 of this act expires July 1, 2028.

4        NEW SECTION.    **Sec. 606.**    (1) Section 602 of this act takes effect  
5 July 1, 2024.

6        (2) Section 603 of this act takes effect July 1, 2028.

7        NEW SECTION.    **Sec. 607.**    If specific funding for the purposes of  
8 this act, referencing this act by bill or chapter number, is not  
9 provided by June 30, 2024, in the supplemental transportation  
10 appropriations act, this act is null and void."

**SSB 6304** - S AMD **640**  
By Senator Liiias

**NOT CONSIDERED 03/07/2024**

11        On page 1, line 2 of the title, after "strategy;" strike the  
12 remainder of the title and insert "amending RCW 43.31.970, 42.56.270,  
13 47.01.520, 35.92.450, 54.16.430, 80.28.360, and 46.37.423; reenacting  
14 and amending RCW 43.84.092, 43.84.092, and 43.84.092; adding a new  
15 section to chapter 46.37 RCW; adding a new section to chapter 70A.350  
16 RCW; adding a new section to chapter 43.01 RCW; adding a new chapter  
17 to Title 19 RCW; adding a new chapter to Title 70A RCW; creating a  
18 new section; prescribing penalties; providing effective dates; and  
19 providing expiration dates."

EFFECT: (1) Delays Commerce developing a publicly available  
electric vehicle supply equipment (EVSE) inventory and distributing  
EVSE siting and installation model regulations by one year to  
December 31, 2026.

(2) Limits required reporting information from EVSE providers and  
operators and other necessary entities to counts of operational EVSE  
and ports, power, use, and other necessary nonproprietary data.

(3) Provides that any rules adopted to determine necessary  
reporting information and processes for EVSE inventorying may not  
take effect before January 1, 2026.

(4) Authorizes Commerce to classify EVSE reporting information as  
confidential and not subject to public disclosure if requested and  
considered in the public's interest, and to aggregate any data at the  
census block level or larger.

(5) Requires Commerce to engage with certain stakeholders to  
identify confidential data and the means for protecting such data,  
including data aggregation and the use of a third party to receive  
and secure such data.

(6) Exempts EVSE data collected for inventorying purposes from disclosure under the public records act.

(7) Delays implementation of new priorities and requirements for transportation electrification infrastructure investments by electric utilities until July 1, 2025.

(8) Restores investor-owned electric utilities' ability to add an up to two percent increment on an incentive rate of return regarding EVSE investments.

(9) Provides that the independent analysis prepared for Commerce when adopting rules prohibiting sale of replacement tires based on their rolling resistance be informed by and consistent with any analysis conducted by the National Highway Traffic Safety Administration.

(10) Provides that any rules adopted by Commerce prohibiting the sale of replacement tires based on their rolling resistance must consider cost impacts and product availability on tire consumers, coordinate with Ecology to consider impacts of rolling resistance on use of 6PPD in replacement tires, and not take effect before January 1, 2028.

(11) Clarifies that chemical ingredients assessed by Ecology when conducting hazard assessments of such ingredients used to achieve reduced rolling assistance in tires are not subject to other provisions regulating toxic pollution

(12) Streamlines and clarifies anti-idling requirements and requires the provision of certain exemptions to such requirements, and delays anti-idling enforcement to begin no earlier than January 1, 2026.

(13) Removes Ecology's authority to assess and collect fees from commercial motor vehicle owners subject to anti-idling enforcement provisions, but authorizes the Legislature to direct Ecology to create and administer a fee structure to cover enforcement costs.

(14) Removes Ecology and OSPI collaborative efforts regarding identifying target years and formula funding recommendations for school districts to fully transition to zero emissions school buses.

--- END ---