

FINAL BILL REPORT

SHB 1236

C 234 L 23
Synopsis as Enacted

Brief Description: Enhancing access to clean fuel for agencies providing public transportation.

Sponsors: House Committee on Environment & Energy (originally sponsored by Representatives Hackney, Abbarno, Senn, Reed, Doglio, Ramel and Lekanoff).

House Committee on Environment & Energy
Senate Committee on Environment, Energy & Technology

Background:

Public Transit Agencies.

There are seven different governance structures for funding and operating public transit systems in the state, which include:

- public transportation benefit area authorities;
- counties that have assumed the transportation functions of a metropolitan municipal corporation;
- city transportation authorities;
- unincorporated transportation benefit areas;
- regional transit areas; and
- transit agencies that establish a high-capacity transportation corridor area.

The majority of the 32 total transit systems in the state are public transportation benefit area authorities, of which there are 21.

Green Electrolytic and Renewable Hydrogen.

Green electrolytic hydrogen is hydrogen produced through electrolysis, and does not include hydrogen manufactured using steam reforming or any other conversion technology that produces hydrogen from a fossil fuel feedstock.

Renewable hydrogen is hydrogen produced using renewable resources both as the source for the hydrogen and the source for the energy input into the production process.

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

Renewable resources include water, wind, solar energy, geothermal energy, and renewable natural gas, among other resources.

Utilities and Transportation Commission.

The Utilities and Transportation Commission (UTC) is a three-member commission appointed by the Governor and confirmed by the Senate. The UTC regulates the rates, services, facilities, and practices of utilities and transportation services.

Summary:

Certain classes of public transportation agencies are authorized to perform the following functions related to green electrolytic hydrogen and renewable hydrogen:

- produce, distribute, and use green electrolytic hydrogen and renewable hydrogen for internal operations; and
- produce, distribute for sale, and sell green electrolytic hydrogen and renewable hydrogen at wholesale or to an end-use customer.

This authorization applies to the following classes of public transportation agencies:

- public transportation benefit area authorities;
- counties that have assumed the transportation functions of a metropolitan municipal corporation;
- city transportation authorities;
- county transportation authorities;
- public transportation authorities,
- unincorporated transportation benefit area authorities;
- regional transit authorities; and
- transit agencies that have established a high-capacity transportation corridor area.

This authorization does not include the authority to sell green electrolytic hydrogen or renewable hydrogen delivered by pipeline to an end-use customer of a gas company.

For sales to an end-use customer, public transportation agencies may sell green electrolytic and renewable hydrogen to or through facilities that distribute, compress, store, liquify, or dispense these types of hydrogen for transportation fuel.

For the purposes of such a sale, a public transportation agency may own, operate, or own and operate, pipelines or dispensing facilities if the pipelines and dispensing facilities are located:

- where the public transportation agency is authorized to provide service;
- within the county where the public transportation agency is authorized to provide service, and are service connected; or
- within the county where the public transportation agency is authorized to provide service and are in accordance with a partnership or agreement with one or more private partners.

Public transportation agencies are not subject to the jurisdiction of the Utilities and Transportation Commission (UTC) by virtue of exercising these new authorities, except that the UTC may administer and enforce state and federal pipeline safety requirements, including the imposition of applicable fees payable to the UTC.

Votes on Final Passage:

House 98 0

Senate 49 0

Effective: July 23, 2023