

Selected Excerpts of State Law and Executive Policy Relevant to Alternative Fuel and Vehicle Use by State Agencies and Local Governments

This is a selective summary of public-sector authority and policy directives; it does not include budget provisos, preferential tax treatments, or other incentives.

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Chapter 19.112: Motor Fuel Quality Act

Findings

(2006 c338 §1 ESSB 6508 Fuel Quality Standards)

The legislature finds that it is in the public interest to establish a market for alternative fuels in Washington. By requiring a growing percentage of our fuel supply to be renewable biofuel that meets appropriate fuel quality standards, we will reduce our dependence on imports of foreign oil, improve the health and quality of life for Washingtonians, and stimulate the creation of a new industry in Washington that benefits our farmers and rural communities. The legislature finds that it is in the public interest for the state to play a central role in spurring the market by purchasing an increasing amount of alternative fuels produced in Washington.

RCW 19.112.010: Definitions

(2006 c338 §15 ESSB 6508 Fuel Quality Standards, amended by 2007 c309 §1 SHB 1029 Alternative Motor Fuels, 2009 c132 §1 SHB 1010 Biofuel-Definition)

- (1) "Alcohol fuel" means any alcohol made from a product other than petroleum or natural gas that is used alone or in combination with gasoline or other petroleum products for use as a fuel in self-propelled motor vehicles.
- (2) "Alternative fuel" means all products or energy sources used to propel motor vehicles, other than conventional gasoline, diesel, or reformulated gasoline. Alternative fuel includes, but is not limited to, liquefied petroleum gas, liquefied natural gas, compressed natural gas, biodiesel fuel, E85 motor fuel, fuels containing 70% or more by volume of alcohol fuel, fuels that are derived from biomass, hydrogen fuel, anhydrous ammonia fuel, nonhazardous motor fuel, or electricity, excluding onboard electric generation.
- (3) "Biodiesel fuel" means the monoalkyl esters of long chain fatty acids derived from plant or animal matter that meet the registration requirements for fuels and fuel additives established by the federal environmental protection agency and standards established by the American society of testing and materials.
- (6) "E85 motor fuel" means an alternative fuel that is a blend of ethanol and hydrocarbon of which the ethanol portion is nominally 75 to 85% denatured fuel ethanol by volume that complies with the most recent version of American society of testing and materials specification D 5798.
- (9) "Renewable diesel" means a diesel fuel substitute produced from nonpetroleum renewable sources, including vegetable oils and animal fats, that meets the registration requirements for fuels and fuel additives established by the federal environmental protection agency in 40 C.F.R. Part 79 and meets the requirements of American society of testing and materials specification D 975.

RCW 19.112.110: Special fuel licensees – Required sales of biodiesel or renewable diesel fuel – Rules

(2006 c338 §2 ESSB 6508 Fuel Quality Standards, amended by 2009 c132 §2 SHB 1010 Biofuel-Definition, 2013 c225 §601 SHB 1883 Fuel Tax Administration)

- (1) Special fuel licensees under chapter 82.38 RCW, as determined by the department of licensing, must provide evidence to the department of licensing that at least 2% of the total annual diesel fuel sold in Washington is biodiesel or renewable diesel fuel, following the earlier of: (a) November 30, 2008; or (b) when a determination is made by the director, published in the Washington State Register, that feedstock grown in Washington state can satisfy a two-percent requirement.
- (2) Special fuel licensees under chapter 82.38 RCW, as determined by the department of licensing, must provide evidence to the department that at least 5% of total annual diesel fuel sold in Washington is biodiesel or renewable diesel fuel, when the director determines, and publishes this determination in the Washington State Register, that both in-state oil seed crushing capacity and feedstock grown in Washington state can satisfy a three-percent requirement.

- (3) The requirements of subsections (1) and (2) of this section may take effect no sooner than 180 days after the determination has been published in the Washington State Register.
- (4) The director and the director of licensing must each adopt rules, in coordination with each other, for enforcing and carrying out the purposes of this section.

RCW 19.112.120: Motor vehicle fuel licensees – Required sales of denatured ethanol – Rules – Limitation of section

(2006 c338 §3 ESSB 6508 Fuel Quality Standards, amended by 2007 c309 §2 SHB 1029 Alternative Motor Fuels, 2013 c225 §601 SHB 1883 Fuel Tax Administration)

- (1) By December 1, 2008, motor vehicle fuel licensees under chapter 82.36 RCW, as determined by the department of licensing, must provide evidence to the department of licensing that at least 2% of total gasoline sold in Washington, measured on a quarterly basis, is denatured ethanol.
- (2) If the director of ecology determines that ethanol content greater than 2% of the total gasoline sold in Washington will not jeopardize continued attainment of the federal clean air act's national ambient air quality standard for ozone pollution in Washington and the director of agriculture determines and publishes this determination in the Washington State Register that sufficient raw materials are available within Washington to support economical production of ethanol at higher levels, the director of agriculture may require by rule that licensees provide evidence to the department of licensing that denatured ethanol comprises between 2% and at least 10% of total gasoline sold in Washington, measured on a quarterly basis.
- (3) The requirements of subsections (1) and (2) of this section may take effect no sooner than 180 days after the determination has been published in the Washington State Register.
- (4) The director and the director of licensing must each adopt rules, in coordination with each other, for enforcing and carrying out the purposes of this section.
- (5) Nothing in this section is intended to prohibit the production, sale, or use of motor fuel for use in federally designated flexibly fueled vehicles capable of using E85 motor fuel. Nothing in this section is intended to limit the use of high octane gasoline not blended with ethanol for use in aircraft.

RCW 19.112.160: Governor's authority to suspend certain minimum renewable fuel content requirements

(2006 c338 §11 ESSB 6508 Fuel Quality Standards)

The governor, by executive order, may suspend all or portions of the minimum renewable fuel content requirements in RCW 19.112.110 or 19.112.120, or 43.19.642, based on a determination that such requirements are temporarily technically or economically infeasible, or pose a significant risk to public safety.

Chapter 35.21: Cities and Towns – Miscellaneous Provisions

RCW 35.21.465: Crop purchase contracts for dedicated energy crops

(2007 c348 §208 E2SHB 1303 Cleaner Energy)

In addition to any other authority provided by law, public development authorities are authorized to enter into crop purchase contracts for a dedicated energy crop for the purposes of producing, selling, and distributing biodiesel produced from Washington state feedstocks, cellulosic ethanol, and cellulosic ethanol blend fuels.

Chapter 35.58: Metropolitan Municipal Corporations

Findings

(2008 c126 §1 SHB 2746 Fuel Purchasing-State and Local Agencies)

The legislature finds and declares that units of state and local government purchasing large amounts of fuel in the regular course of performing their function should have substantial flexibility in acquiring fuel to obtain predictability and control of fuel costs, and to maximize the use of renewable fuels. The legislature hereby declares its intent to allow certain units of government that regularly purchase large amounts of fuel to explore and implement strategies designed to reduce the overall cost of fuel and mitigate the impact of market fluctuations and pressure on both short-term and long-term fuel costs.

RCW 35.58.262: Transportation function – Fuel purchasing strategies – Reports

(2008 c126 §2 SHB 2746 Fuel Purchasing-State and Local Agencies)

- (1) In performing the metropolitan transportation function, metropolitan municipal corporations and counties that have assumed the rights, powers, functions, and obligations of metropolitan municipal corporations under chapter 36.56 RCW may explore and implement strategies designed to reduce the overall cost of fuel and mitigate the impact of market fluctuations and pressure on both short-term and long-term fuel costs. These strategies may include, but are not limited to, futures contracts, hedging, swap transactions, option contracts, costless collars, and long-term storage.
- (2) Metropolitan municipal corporations and counties that have assumed the rights, powers, functions, and obligations of metropolitan municipal corporations under chapter 36.56 RCW that choose to implement the strategies authorized in this section must submit periodic reports to the transportation committees of the legislature on the status of any such implemented strategies. Each report must include a description of each contract established to mitigate fuel costs, the amounts of fuel covered by the contracts, the cost mitigation results, and any related recommendations. The first report must be submitted within one year of implementation.

Chapter 35.92: Municipal Utilities

Findings

(2019 c109 §1 SHB 1512 Electrification of Transportation)

- (1) Programs for the electrification of transportation have the potential to allow electric utilities to optimize the use of electric grid infrastructure, improve the management of electric loads, and better manage the integration of variable renewable energy resources. Depending upon each utility's unique circumstances, electrification of transportation programs may provide cost-effective energy efficiency, through more efficient use of energy resources, and more efficient use of the electric delivery system. Electrification of transportation may result in cost savings and benefits for all ratepayers.
- (2) State policy can achieve the greatest return on investment in reducing greenhouse gas emissions and improving air quality by expediting the transition to alternative fuel vehicles, including electric vehicles. Potential benefits associated with electrification of transportation include the monetization of environmental attributes associated with carbon reduction in the transportation sector.
- (3) Legislative clarity is important for utilities to offer programs and services, including incentives, in the electrification of transportation for their customers. It is the intent of the legislature to achieve parity among all electric utilities, so each electric utility, depending on its unique circumstances, can determine its appropriate role in the development of electrification of transportation infrastructure.

RCW 35.92.440: Production and distribution of biodiesel, ethanol, and ethanol blend fuels – Crop purchase contracts for dedicated energy crops

(2007 c348 §209 E2SHB 1303 Cleaner Energy)

In addition to any other authority provided by law, municipal utilities are authorized to produce and distribute biodiesel, ethanol, and ethanol blend fuels, including entering into crop purchase contracts for a dedicated energy crop for the purpose of generating electricity or producing biodiesel produced from Washington

feedstocks, cellulosic ethanol, and cellulosic ethanol blend fuels for use in internal operations of the electric utility and for sale or distribution.

RCW 35.92.450: Electrification of transportation plan – Considerations – Incentive programs

(2019 c109 §2 SHB 1512 Electrification of Transportation)

- (1) The governing authority of an electric utility formed under this chapter may adopt an electrification of transportation plan that, at a minimum, establishes a finding that utility outreach and investment in the electrification of transportation infrastructure does not increase net costs to ratepayers in excess of .25%.
- (2) In adopting an electrification of transportation plan under subsection (1) of this section, the governing authority may consider some or all of the following: (a) The applicability of multiple options for electrification of transportation across all customer classes; (b) the impact of electrification on the utility's load, and whether demand response or other load management opportunities, including direct load control and dynamic pricing, are operationally appropriate; (c) system reliability and distribution system efficiencies; (d) interoperability concerns, including the interoperability of hardware and software systems in electrification of transportation proposals; and (e) overall customer experience.
- (3) An electric utility formed under this chapter may, upon making a determination in accordance with subsection (1) of this section, offer incentive programs in the electrification of transportation for its customers, including the promotion of electric vehicle adoption and advertising programs to promote the utility's services, incentives, or rebates.

Chapter 35.110: Passenger-Only Ferry Service

RCW 35.110.010: When authorized – Investment plan

(2020 c181 §1 HB 2641 Passenger-only Ferry Service-Cities)

- (1) Any city having a boundary located on Puget Sound or Lake Washington may establish, finance, and provide passenger-only ferry service, including associated services to support and augment passenger-only ferry service operation, within its boundaries. For the purposes of this chapter, Puget Sound has the same meaning as described in RCW 36.57A.200.
- (2) Before a city may provide passenger-only ferry service, it must develop a passenger-only ferry investment plan, which must include elements regarding operating or contracting for the operation of passenger-only ferry services; the purchase, lease, or rental of ferry vessels and dock facilities for the provision of transit service; consultation with potentially affected federally recognized Indian treaty fishing tribes and other federally recognized treaty tribes with potentially affected interests to ensure impacts to tribal fishing are minimized; and identifying other activities necessary to implement the plan. The passenger-only ferry investment plan must also set forth terminal locations to be served, consistency with any study developed through the Puget Sound regional council for regional service, projected costs of providing services, and revenues to be generated from tolls, locally collected tax revenues, and other revenue sources. The passenger-only ferry investment plan may recommend additional revenue authority that has not yet been authorized under state law.
- (4) The passenger-only ferry investment plan must show design and funding considerations for propulsion types and technologies that meet low, ultra-low, and zero emission targets in relation to any operations and business plan to ensure a viable route. Considerations should include vessel design, electrification, as well as shoreside infrastructure. The investment plan must also show best management practices and technologies available and considered to reduce impacts to water quality, prevention of strikes, and underwater noise that impact the southern resident killer whale population, other marine mammals, and aquatic life.

Chapter 39.26: Procurement of Goods and Services

RCW 39.26.090: Director's duties and responsibilities – Rules

(2012 c224 §10 2SHB 2452 State Procurement of Goods and Services)

The director of the Department of Enterprise Services shall:

- (10) Develop guidelines and criteria for the purchase of vehicles, high gas mileage vehicles, and alternate vehicle fuels and systems, equipment, and materials, that reduce overall energy-related costs and energy use by the state, including investigations into all opportunities to aggregate the purchasing of clean technologies by state and local governments, and including the requirement that new passenger vehicles purchased by the state meet the minimum standards for passenger automobile fuel economy established by the United States secretary of transportation pursuant to the energy policy and conservation act (15 U.S.C. Sec. 2002).

Chapter 43.01: State Officers – General Provisions

RCW 43.01.250: Electric vehicles – State purchase of power at state office locations – Report

(2007 c348 §206 E2SHB 1303 Cleaner Energy)

- (1) It is in the state's interest and to the benefit of the people of the state to encourage the use of electrical vehicles in order to reduce emissions and provide the public with cleaner air. This section expressly authorizes the purchase of power at state expense to recharge privately and publicly owned plug-in electrical vehicles at state office locations where the vehicles are used for state business, are commute vehicles, or where the vehicles are at the state location for the purpose of conducting business with the state.
- (2) The director of the department of enterprise services may report to the governor and the appropriate committees of the legislature, as deemed necessary by the director, on the estimated amount of state-purchased electricity consumed by plug-in electrical vehicles if the director of enterprise services determines that the use has a significant cost to the state, and on the number of plug-in electric vehicles using state office locations. The report may be combined with the report under section 401, chapter 348, Laws of 2007.

Chapter 43.19: Department of Enterprise Services

Findings

(2003 c17 §1 ESHB 1242 Biodiesel)

The legislature recognizes that:

- (7) Biodiesel use in state-owned diesel-powered vehicles provides a means for the state to comply with the alternative fuel vehicle purchase requirements of the energy policy act of 1992, P.L. 102-486; and
- (8) The state is in a position to set an example of large scale use of biodiesel in diesel-powered vehicles and equipment.

RCW 43.19.570: Motor vehicle transportation service – Responsibilities – Agreements with other agencies – Alternative fuels and clean technologies

(1989 c113 §1 SB5987 State Vehicles-Field Testing of Alternative Fuels Authorized, amended by 2002 c285 §2 ESHB 2522 Clean Technologies-Purchasing)

- (3) (a) The legislature finds that a clean environment is important and that global warming effects may be offset by decreasing the emissions of harmful compounds from motor vehicles. The legislature further finds that the state is in a position to set an example of large-scale use of alternative fuels in motor vehicles and other clean technologies.

- (b) The Department of Enterprise Services shall consider the use of state vehicles to conduct field tests on alternative fuels in areas where air pollution constraints may be eased by these optional fuels. These fuels should include but are not limited to gas-powered and electric-powered vehicles.
- (c) For planned purchases of vehicles using alternative fuels, the department and other state agencies shall explore opportunities to purchase these vehicles together with the federal government, agencies of other states, other Washington state agencies, local governments, or private organizations for less cost. All state agencies must investigate and determine whether or not they can make clean technologies more cost-effective by combining their purchasing power before completing a planned vehicle purchase.

(NOTE: Term "alternative fuels" from 1989 legislation, no apparent definition associated with this Chapter)

RCW 43.19.622: Passenger motor vehicles owned or operated by state agencies – Duty to establish policies as to acquisition, operation, authorized use – Strategies to reduce fuel consumption and vehicle emissions – Implementation of fuel economy standards – Reports – Definitions

(2009 c519 §6 E2SSB 5560 State Agencies-Emissions Reduction, amended by 2010 c159 §1 SHB 2105 State Agency Fleets-Fuel Economy Requirements)

- (1) The director of financial management, after consultation with other interested or affected state agencies, shall establish overall policies governing the acquisition, operation, management, maintenance, repair, and disposal of all motor vehicles owned or operated by any state agency. These policies shall include but not be limited to a definition of what constitutes authorized use of a state owned or controlled passenger motor vehicle and other motor vehicles on official state business. The definition shall include, but not be limited to, the use of state-owned motor vehicles for commuter ride sharing so long as the entire capital depreciation and operational expense of the commuter ride-sharing arrangement is paid by the commuters. Any use other than such defined use shall be considered as personal use.
- (2) (a) By June 15, 2010, the director of the department of enterprise services, in consultation with the office of financial management and other interested or affected state agencies, shall develop strategies to assist state agencies in reducing fuel consumption and emissions from all classes of vehicles.
 - (b) In an effort to achieve lower overall emissions for all classes of vehicles, state agencies should, when financially comparable over the vehicle's useful life, consider purchasing or converting to ultra-low carbon fuel vehicles.
- (3) State agencies shall phase in fuel economy standards for motor pools and leased petroleum-based fuel vehicles to achieve an average fuel economy standard of 36 miles per gallon for passenger vehicle fleets by 2015.
- (4) After June 15, 2010, state agencies shall: (a) When purchasing new petroleum-based fuel vehicles for vehicle fleets: (i) Achieve an average fuel economy of forty miles per gallon for light duty passenger vehicles; and (ii) achieve an average fuel economy of twenty-seven miles per gallon for light duty vans and sports utility vehicles; or (b) Purchase ultra-low carbon fuel vehicles.
- (5) State agencies must report annually on the progress made to achieve the goals under subsections (3) and (4) of this section beginning October 31, 2011.
- (6) The department of enterprise services, in consultation with the office of financial management and other affected or interested agencies, shall develop a separate fleet fuel economy standard for all other classes of petroleum-based fuel vehicles and report the progress made toward meeting the fuel consumption and emissions goals established by this section to the governor and the relevant legislative committees by December 1, 2012.
- (7) The following vehicles are excluded from the average fuel economy goals established in subsections (3) and (4) of this section: Emergency response vehicles, passenger vans with a gross vehicle weight of 8,500

pounds or greater, vehicles that are purchased for off-pavement use, ultra-low carbon fuel vehicles, and vehicles that are driven less than 2,000 miles per year.

- (8) Average fuel economy calculations used under this section for petroleum-based fuel vehicles must be based upon the current United States environmental protection agency composite city and highway mile per gallon rating.
- (9) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.
 - (a) "Petroleum-based fuel vehicle" means a vehicle that uses, as a fuel source, more than 10% gasoline or diesel fuel.
 - (b) "Ultra-low carbon fuel vehicle" means a vehicle that uses, as a fuel source, at least 90% natural gas, hydrogen, biomethane, or electricity.

RCW 43.19.637: Clean-fuel vehicles – Purchasing requirements

(1991 c199 §213 ESHB 1028 Air Pollution Reduction, amended by 2002 c285 §3 ESHB 2522 Clean Technologies-Purchasing)

- (1) At least 30% of all new vehicles purchased through a state contract shall be clean-fuel vehicles.
- (2) The percentage of clean-fuel vehicles purchased through a state contract shall increase at the rate of 5% each year.
- (3) In meeting the procurement requirement established in this section, preference shall be given to vehicles designed to operate exclusively on clean fuels. In the event that vehicles designed to operate exclusively on clean fuels are not available or would not meet the operational requirements for which a vehicle is to be procured, conventionally powered vehicles may be converted to clean fuel or dual fuel use to meet the requirements of this section.
- (4) Fuel purchased through a state contract shall be a clean fuel when the fuel is purchased for the operation of a clean-fuel vehicle.
- (5) (a) Weight classes are established by the following motor vehicle types: (i) Passenger cars; (ii) Light duty trucks, trucks with a gross vehicle weight rating by the vehicle manufacturer of less than 8,500 pounds; (iii) Heavy duty trucks, trucks with a gross vehicle weight rating by the vehicle manufacturer of 8,500 pounds or more.
(b) This subsection does not place an obligation upon the state or its political subdivisions to purchase vehicles in any number or weight class other than to meet the percentage procurement requirement.
- (6) The provisions for purchasing clean-fuel vehicles under subsections (1) and (2) of this section are intended as minimum levels. The department of enterprise services should seek to increase the purchasing levels of clean-fuel vehicles above the minimum. The department must also investigate all opportunities to aggregate their purchasing with local governments to determine whether or not they can lower their costs and make it cost-efficient to increase the percentage of clean-fuel or high gas mileage vehicles in both the state and local fleets.
- (7) For the purposes of this section, "clean fuels" and "clean-fuel vehicles" shall be those fuels and vehicles meeting the specifications provided for in RCW 70A.25.120.

(NOTE: Though still active, RCW 43.19.637 has been effectively superseded by RCW 43.19.622)

RCW 43.19.642: Biodiesel fuel blends – Use by agencies – Annual report

(2003 c17 §2 ESHB 1242 Biodiesel, amended by 2006 c338 §10 ESSB 6508 Fuel Quality Standards, 2007 c348 §201 E2SHB 1303 Cleaner Energy, 2012 c86 §802 ESHB 2190 Supplement Transportation Budget, 2013 c306 §701 ESSB 5024 Transportation Budget, 2015 c10 §701 E2SHB 1299 Transportation Budget, 2016 c197 §2 EHB 2883 State Agency Reports-Reduction, 2017 c313 §703 ESB 5096 Transportation Budget, 2019 c416 §703 ESHB 1160 Transportation Budget)

- (1) Effective June 1, 2006, for agencies complying with the ultra-low sulfur diesel mandate of the United States environmental protection agency for on-highway diesel fuel, agencies shall use biodiesel as an additive to ultra-low sulfur diesel for lubricity, provided that the use of a lubricity additive is warranted and that the use of biodiesel is comparable in performance and cost with other available lubricity additives. The amount of biodiesel added to the ultra-low sulfur diesel fuel shall be not less than 2%.
- (2) Except as provided in subsection (5) of this section, effective June 1, 2009, state agencies are required to use a minimum of 20% biodiesel as compared to total volume of all diesel purchases made by the agencies for the operation of the agencies' diesel-powered vessels, vehicles, and construction equipment.
- (3) All state agencies using biodiesel fuel shall, beginning on July 1, 2016, file annual reports with the department of enterprise services documenting the use of the fuel and a description of how any problems encountered were resolved.
- (4) By December 1, 2009, the department of enterprise services shall:
 - (a) Report to the legislature on the average true price differential for biodiesel by blend and location; and
 - (b) Examine alternative fuel procurement methods that work to address potential market barriers for in-state biodiesel producers and report these findings to the legislature.
- (5) During the 2021-2023 fiscal biennia, the Washington state ferries is required to use a minimum of 5% biodiesel as compared to total volume of all diesel purchases made by the Washington state ferries for the operation of the Washington state ferries diesel-powered vessels, as long as the price of a B5 or B10 biodiesel blend does not exceed the price of conventional diesel fuel by 5% or more.

RCW 43.19.643: Biodiesel fuel blends – Definitions

(2003 c17 §3 ESHB 1242 Biodiesel)

Definitions in this section apply throughout RCW 43.19.642 unless context clearly requires otherwise.

- (1) “Biodiesel” means a mono alkyl ester of long chain fatty acids derived from vegetable oils or animal fats for use in compression-ignition engines and that meets the requirements of the American society of testing and materials specification D 6751 in effect as of January 1, 2003.
- (2) “Ultra-low sulfur diesel” means petroleum diesel in which the sulfur content is not more than 30 parts per million.

RCW 43.19.646: Coordinating the purchase and delivery of biodiesel – Reports

(2006 c338 §12 ESSB 6508 Fuel Quality Standards, amended by 2011 1st Sp. Sess. c43 §237 ESSB 5931 Department of Enterprise Services)

- (1) The department of enterprise services must assist state agencies seeking to meet the biodiesel fuel requirements in RCW 43.19.642 by coordinating the purchase and delivery of biodiesel if requested by any state agency. The department may use long-term contracts of up to ten years, when purchasing from in-state suppliers who use predominantly in-state feedstock, to secure a sufficient and stable supply of biodiesel for use by state agencies.
- (2) The department shall compile and analyze the reports submitted under RCW 43.19.642(3) and report in an electronic format its findings and recommendations to the governor and committees of the legislature with responsibility for energy issues, within sixty days from the end of each reporting period. The governor shall consider these reports in determining whether to temporarily suspend minimum renewable fuel content requirements as authorized under RCW 19.112.160.

RCW 43.19.647: Purchase of biofuels and biofuel blends – Contracting authority

(2007 c348 §203 E2SHB 1303 Cleaner Energy)

- (1) In order to allow the motor vehicle fuel needs of state and local government to be satisfied by Washington-produced biofuels as provided in this chapter, the department of enterprise services as well as local governments may contract in advance and execute contracts with public or private producers,

suppliers, or other parties, for the purchase of appropriate biofuels, as that term is defined in RCW 43.325.010, and biofuel blends. Contract provisions may address items including, but not limited to, fuel standards, price, and delivery date.

- (2) The department may combine the needs of local government agencies, including ports, special districts, school districts, and municipal corporations, for the purposes of executing contracts for biofuels and to secure a sufficient and stable supply of alternative fuels.

RCW 43.19.648: Publicly owned vehicles, vessels, and construction equipment – Fuel usage

(2007 c348 §201 E2SHB 1303 Cleaner Energy, amended by 2009 c459 §7 SSHB 1481 Electric Vehicles, 2011 c353 §4 ESHB 1478 Local Governments-Fiscal Relief-Delay of Requirements, 2012 c171 §1 ESHB 2545 Local Governments-Fuel Usage, 2013 c328 §1 ESB 5099 State Agencies and Local Governments-Fuel Usage)

- (1) Effective June 1, 2015, all state agencies, to the extent determined practicable by the rules adopted by the department of commerce pursuant to RCW 43.325.080, are required to satisfy 100% of their fuel usage for operating publicly owned vessels, vehicles, and construction equipment from electricity or biofuel. Compressed natural gas, liquefied natural gas, or propane may be substituted for electricity or biofuel if the department determines that electricity and biofuel are not reasonably available.
- (2) (a) Effective June 1, 2018, all local government subdivisions of the state, to the extent determined practicable by the rules adopted by the department of commerce pursuant to RCW 43.325.080, are required to satisfy 100% of their fuel usage for operating publicly owned vessels, vehicles, and construction equipment from electricity or biofuel. The department of commerce shall convene an advisory committee of representatives of local government subdivisions, representatives from organizations representing each local government subdivision, and either (i) an electric utility or (ii) a natural gas utility, or both, to work with the department to develop the rules. The department may invite additional stakeholders to participate in the advisory committee as needed and determined by the department.
 - (b) The following are exempt from this requirement: (i) Transit agencies using compressed natural gas on June 1, 2018, and (ii) engine retrofits that would void warranties. Nothing in this section is intended to require the replacement of equipment before the end of its useful life. Compressed natural gas, liquefied natural gas, or propane may be substituted for electricity or biofuel if the department of commerce determines that electricity and biofuel are not reasonably available.
 - (c) (i) Rules adopted pursuant to RCW 43.325.080 must provide the authority for local government subdivisions to elect to exempt police, fire, and other emergency response vehicles, including utility vehicles frequently used for emergency response, from the fuel usage requirement in (a) of this subsection. (ii) Prior to executing its authority under (c)(i) of this subsection, a local government subdivision must provide notice to the department of commerce of the exemption. The notice must include the rationale for the exemption and an explanation of how the exemption is consistent with rules adopted by the department of commerce.
 - (d) Before June 1, 2018, local government subdivisions purchasing vessels, vehicles, and construction equipment capable of using biodiesel must request warranty protection for the highest level of biodiesel the vessel, vehicle, or construction equipment is capable of using, up to 100% biodiesel, as long as the costs are reasonably equal to a vessel, vehicle, or construction equipment that is not warranted to use up to 100% biodiesel.
- (3) In order to phase in this transition for the state, all state agencies, to the extent determined practicable by the department by rules adopted pursuant to RCW 43.325.080, are required to achieve 40% fuel usage for operating publicly owned vessels, vehicles, and construction equipment from electricity or biofuel by June 1, 2013. Compressed natural gas, liquefied natural gas, or propane may be substituted for electricity or biofuel if the department determines that electricity and biofuel are not reasonably available. The department of enterprise services, in consultation with the department of commerce, shall report to the

governor and the legislature by December 1, 2013, on what percentage of the state's fuel usage is from electricity or biofuel.

- (4) Except for cars owned or operated by the Washington state patrol, when tires on vehicles in the state's motor vehicle fleet are replaced, they must be replaced with tires that have the same or better rolling resistance as the original tires.
- (5) By December 31, 2015, the state must, to the extent practicable, install electrical outlets capable of charging electric vehicles in each of the state's fleet parking and maintenance facilities.
- (6) The department of transportation's obligations under subsection (3) of this section are subject to the availability of amounts appropriated for the specific purpose identified in subsection (3) of this section.
- (7) The department of transportation's obligations under subsection (5) of this section are subject to the availability of amounts appropriated for the specific purpose identified in subsection (5) of this section unless the department receives federal or private funds for the specific purpose identified in subsection (5) of this section.
- (8) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.
 - (a) "Battery charging station" means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.
 - (b) "Battery exchange station" means a fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process, which meets or exceeds any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

RCW 43.19.663: Clean technologies – Purchase – Definitions

(2002 c285 §4 ESHB 2522 Clean Technologies-Purchasing)

- (1) The department of enterprise services, in cooperation with public agencies, shall investigate opportunities to aggregate the purchase of clean technologies with other public agencies to determine whether or not combined purchasing can reduce the unit cost of clean technologies.
- (3) No public agency is required under this section to purchase clean technologies at prohibitive costs.
- (4) (b) "Clean technology" includes, but may not be limited to, alternative fueled hybrid-electric and fuel cell vehicles, and distributive power generation.
 - (c) "Distributive power generation" means the generation of electricity from an integrated or stand-alone power plant that generates electricity from wind energy, solar energy, or fuel cells.

Chapter 43.21F: State Energy Office

RCW 43.21F.010: Legislative findings and declaration

(1975-76 2nd Ex. Sess. c108 §1 ESSB 3172 Energy, amended by 2010 c271 §401 ESSHB 2658 Department of Commerce-Mission)

- (1) The legislature finds the state needs to implement a comprehensive energy planning process that:
 - (a) Is based on high quality, unbiased analysis;
 - (b) Engages public agencies and stakeholders in a thoughtful, deliberative process that creates a cohesive plan that earns sustained support of the public and organizations and institutions that will ultimately be responsible for implementation and execution of the plan; and
 - (c) Establishes policies and practices needed to ensure effective implementation of the strategy.

- (2) The legislature further finds that energy drives the entire modern economy from petroleum for vehicles to electricity to light homes and power businesses. The legislature further finds that the nation and the world have started the transition to a clean energy economy, with significant improvements in energy efficiency and investments in new clean and renewable energy resources and technologies. The legislature further finds this transition may increase or decrease energy costs and efforts should be made to mitigate cost increases.
- (3) The legislature finds and declares that it is the continuing purpose of state government, consistent with other essential considerations of state policy, to foster wise and efficient energy use and to promote energy self-sufficiency through the use of indigenous and renewable energy sources, consistent with the promotion of reliable energy sources, the general welfare, and the protection of environmental quality.
- (4) The legislature further declares that a successful state energy strategy must balance three goals to:
 - (a) Maintain competitive energy prices that are fair and reasonable for consumers and businesses and support our state's continued economic success;
 - (b) Increase competitiveness by fostering a clean energy economy and jobs through business and workforce development; and
 - (c) Meet the state's obligations to reduce greenhouse gas emissions.

RCW 43.21F.088: State energy strategy – Principles – Implementation

(2010 c271 §403 E2SHB 2658 Department of Commerce-Mission)

- (1) The state shall use the following principles to guide development and implementation of the state's energy strategy and to meet the goals of RCW 43.21F.010:
 - (a) Pursue all cost-effective energy efficiency and conservation as the state's preferred energy resource, consistent with state law;
 - (b) Ensure the state's energy system meets the health, welfare, and economic needs of its citizens with particular emphasis on meeting the needs of low-income and vulnerable populations;
 - (c) Maintain and enhance economic competitiveness by ensuring an affordable and reliable supply of energy resources and by supporting clean energy technology innovation, access to clean energy markets worldwide, and clean energy business and workforce development;
 - (d) Reduce dependence on fossil fuel energy sources through improved efficiency and development of cleaner energy sources, such as bioenergy, low-carbon energy sources, and natural gas, and leveraging indigenous resources of the state for production of clean energy.
 - (e) Improve efficiency of transportation energy use through advances in vehicle technology, increased system efficiencies, development of electricity, biofuels, and other clean fuels, and regional transportation planning to improve transportation choices.
 - (f) Meet the state's statutory greenhouse gas limits and environmental requirements as the state develops and uses energy resources.
 - (g) Build on the advantage provided by the state's clean regional electrical grid by expanding and integrating additional carbon-free and carbon-neutral generation, and improving the transmission capacity serving the state;
 - (h) Make state government a model for energy efficiency, use of clean and renewable energy, and greenhouse gas-neutral operations.
 - (i) Maintain and enhance our state's existing energy infrastructure.

(2) The department shall:

- (a) During energy shortage emergencies, give priority in the allocation of energy resources to maintaining the public health, safety, and welfare of the state's citizens and industry in order to minimize adverse impacts on their physical, social, and economic well-being;
- (b) Develop and disseminate impartial and objective energy information and analysis, while taking full advantage of the capabilities of the state's institutions of higher education, national laboratory, and other organizations with relevant expertise and analytical capabilities;
- (c) Actively seek to maximize federal and other non-state funding and support to the state for energy efficiency, renewable energy, emerging energy technologies, and other activities of benefit to the state's overall energy future; and
- (d) Monitor the actions of all agencies of the state for consistent implementation of the state's energy policy including applicable statutory policies and goals relating to energy supply and use.

Chapter 43.325: Energy Freedom Program

NOTE: Sections referencing expired sections of the chapter are not shown.

RCW 43.325.005: Findings

(2007 c348 §1 E2SHB 1303 Cleaner Energy)

- (1) The legislature finds that excessive dependence on fossil fuels jeopardizes Washington's economic security, environmental integrity, and public health. Accelerated development and use of clean fuels and clean vehicle technologies will reduce the drain on Washington's economy from importing fossil fuels. As fossil fuel prices rise, clean fuels and vehicles can save consumers money while promoting the development of a major, sustainable industry that provides good jobs and a new source of rural prosperity. In addition, clean fuels and vehicles protect public health by reducing toxic air and climate change emissions.
- (3) Finally, the legislature finds that to reduce fossil fuel dependence, build our clean energy economy, and reduce climate impacts, the state should develop policies and incentives that help businesses, consumers, and farmers gain greater access to affordable clean fuels and vehicles and to produce clean fuels in the state. These policies and incentives should include: Incentives for replacement of the most polluting diesel engines, especially in school buses; transitional incentives for development of the most promising in-state clean fuels and fuel feedstocks, including biodiesel crops, ethanol from plant waste, and liquid natural gas from landfill or wastewater treatment gases; reduced fossil fuel consumption by state fleets; development of promising new technologies for displacing petroleum with electricity, such as "plug-in hybrids"; and impact analysis and emission accounting procedures that prepare Washington to respond and prosper as climate change impacts occur, and as policies and markets to reduce climate pollution are developed.

RCW 43.325.080: Electricity and biofuel usage goals

(2007 c348 §204 E2SHB 1303 Cleaner Energy, amended by 2011 c353 §5 ESHB 1478 Local Governments-Fiscal Relief-Delay of Requirements)

- (1) By June 1, 2010, the Department of Commerce shall adopt rules to define practicability and clarify how state agencies will be evaluated in determining whether they have met the goals set out in RCW 43.19.648(1). At a minimum, the rules must address:
 - (b) Factors considered to determine compliance with the goal in RCW 43.19.648(1), including but not limited to: The regional availability of fuels; vehicle costs; differences between types of vehicles, vessels, or equipment; the cost of program implementation; and cost differentials in different parts of the state; and
 - (c) A schedule for phased-in progress towards meeting the goal in RCW 43.19.648(1) that may include different schedules for different fuel applications or different quantities of biofuels.

- (2) By June 1, 2015, the department shall adopt rules to define practicability and clarify how local government subdivisions of the state will be evaluated in determining whether they have met the goals set out in RCW 43.19.648(2). At a minimum, the rules must address:
 - (b) Factors considered to determine compliance with the goal in RCW 43.19.648(2), including but not limited to: The regional availability of fuels; vehicle costs; differences between types of vehicles, vessels, or equipment; the cost of program implementation; and cost differentials in different parts of the state; and
 - (c) A schedule for phased-in progress towards meeting the goal in RCW 43.19.648(2) that may include different schedules for different fuel applications or different quantities of biofuels.

Chapter 53.08: Port District Powers

Findings

(2018 c148 §1 SB 6207 Port District Pollution Control Facilities)

- (1) The legislature finds that clean fuels and vehicles protect public health by reducing toxic air and climate change emissions.
- (2) The legislature also finds that to encourage clean fuels and vehicles, the state should develop policies and incentives that help businesses gain greater access to affordable clean fuels and vehicles. These policies and incentives should include incentives for replacement of the most polluting diesel engines, especially in trucks calling on the state's largest seaports.

RCW 53.08.040: Improvement of lands for industrial and commercial purposes – Providing sewer and water utilities – Providing pollution control facilities

(2018 c148 §2 SB 6207 Port District Pollution Control Facilities)

- (6) "Pollution control facility," as used in this section and RCW 53.08.041, includes programs and activities that are intended to reduce air pollution from vehicles used in cargo transport to, from, and within district facilities; and programs and activities that are intended to reduce air pollution from cargo vessels within the district. Use of district funds for these purposes are deemed a governmental and public function, exercised for a public purpose and as a public necessity for promoting cleaner air; provided however, the provisions of subsections (2), (3), (4), and (5) of this section relating to condition, rates, other providers, and cost recovery do not apply to this subsection's subset of port pollution control facilities.

Chapter 54.04: Public Utility Districts – General Provisions

RCW 54.04.190: Production and distribution of biodiesel, ethanol, and ethanol blend fuels – Crop purchase contracts for dedicated energy crops – Production and utilization of renewable natural gas – Sale of renewable natural gas

(2007 c348 §210 E2SHB 1303 Cleaner Energy, amended by 2015 c31 §1 ESB 5424 Public Utility Districts-Renewable Natural Gas-Production and Distribution, 2019 c24 §1 SSB 5588 Renewable Hydrogen-Public Utility Districts)

- (1) In addition to any other authority provided by law, public utility districts are authorized to produce and distribute biodiesel, ethanol, and ethanol blend fuels, including entering into crop purchase contracts for a dedicated energy crop for the purpose of generating electricity or producing biodiesel produced from Washington feedstocks, cellulosic ethanol, and cellulosic ethanol blend fuels for use in internal operations of the electric utility and for sale or distribution.
- (2) In addition to any other authority provided by law:
 - (a) Public utility districts are authorized to produce renewable natural gas and renewable hydrogen and utilize the renewable natural gas or renewable hydrogen they produce for internal operations.

- (b) Public utility districts may sell renewable natural gas or renewable hydrogen that is delivered into a gas transmission pipeline located in the state of Washington or delivered in pressurized containers: (i) At wholesale; (ii) To an end-use customer; or (iii) If delivered in a pressurized container, or if the end-use customer takes delivery of the renewable natural gas or renewable hydrogen through a pipeline, and the end-use customer is an eligible purchaser of natural gas from sellers other than the gas company from which that end-use customer takes transportation service and: (A) When the sale is made to an end-use customer in the state of Washington, the sale is made pursuant to a transportation tariff approved by the Washington utilities and transportation commission; or (B) When the sale to an end-use customer is made outside of the state of Washington, the sale is made pursuant to a transportation tariff approved by the state agency which regulates retail sales of natural gas.
 - (c) Public utility districts may sell renewable natural gas or renewable hydrogen at wholesale or to an end-use customer through a pipeline directly from renewable natural gas or renewable hydrogen production facilities to facilities that compress, liquefy, or dispense compressed natural gas, liquefied natural gas fuel, or renewable hydrogen for end use as a transportation fuel.
- (4) (b) For the purposes of subsection (2)(b) of this section, public utility districts are authorized to own and operate interconnection pipelines that connect renewable natural gas or renewable hydrogen production facilities to gas transmission pipelines.
- (c) For the purposes of subsection (2)(c) of this section, public utility districts may own and/or operate pipelines to supply, and/or compressed natural gas, liquefied natural gas, or renewable hydrogen facilities to provide, renewable natural gas or renewable hydrogen for end use as a transportation fuel if all such pipelines and facilities are located in the county in which the public utility district is authorized to provide utility service.

Chapter 54.16: Public Utility Districts - Powers

RCW 54.16.430: Electrification of transportation plan – Considerations – Incentive programs

(2019 c109 §3 SHB 1512 Electrification of Transportation)

- (1) The commission of a public utility district may adopt an electrification of transportation plan that, at a minimum, establishes a finding that outreach and investment in the electrification of transportation infrastructure does not increase net costs to ratepayers in excess of .25%.
- (2) In adopting an electrification of transportation plan under subsection (1) of this section, the commission of a public utility district may consider some or all of the following:
 - (a) The applicability of multiple options for electrification of transportation across all customer classes;
 - (b) The impact of electrification on the district's load, and whether demand response or other load management opportunities, including direct load control and dynamic pricing, are operationally appropriate;
 - (c) System reliability and distribution system efficiencies;
 - (d) Interoperability concerns, including the interoperability of hardware and software systems in electrification of transportation proposals; and
 - (e) Overall customer experience.
- (3) A public utility district may, upon making a determination in accordance with subsection (1) of this section, offer incentive programs in the electrification of transportation for its customers, including the promotion of electric vehicle adoption and advertising programs to promote the district's services, incentives, or rebates.

Chapter 70A.15: Washington Clean Air Act

RCW 70A.15.2200: Classification of air contaminant sources – Registration – Fee – Registration program defined – Adoption of rules requiring persons to report emissions of greenhouse gases

(2008 c14 §5 E2SHB 2815 Greenhouse Gas Emissions, amended by 2010 c146 §2 SSB 6373 Greenhouse Gas Emissions-Reporting)

- (5) (a) The Department of Ecology shall adopt rules requiring persons to report emissions of greenhouse gases as defined in RCW 70A.45.010 where those emissions from a single facility, source, or site, or from fossil fuels sold in Washington by a single supplier meet or exceed ten thousand metric tons of carbon dioxide equivalent annually. The department may phase in the requirement to report greenhouse gas emissions until the reporting threshold in this subsection is met, which must occur by January 1, 2012. In addition, the rules must require that:
- (ii) Reporting will start in 2010 for 2009 emissions. Each annual report must include emissions data for the preceding calendar year and must be submitted to the department by October 31st of the year in which the report is due. However, starting in 2011, a person who is required to report greenhouse gas emissions to the United States environmental protection agency under 40 C.F.R. Part 98, as adopted on September 22, 2009, must submit the report required under this section to the department concurrent with the submission to the United States environmental protection agency. Except as otherwise provided in this section, the data for emissions in Washington and any corrections thereto that are reported to the United States environmental protection agency must be the emissions data reported to the department; and
 - (iii) Emissions of carbon dioxide associated with the complete combustion or oxidation of liquid motor vehicle fuel, special fuel, or aircraft fuel that is sold in Washington where the annual emissions associated with that combustion or oxidation equal or exceed ten thousand metric tons be reported to the department.

RCW 70A.15.6400: Clean fuel matching grants for public transit, vehicle mechanics, and refueling infrastructure

(1991 c199 §218 ESHB 1028 Air Pollution Reduction, amended by 1996 c186 §517 4SHB2009 State Energy Office-Elimination-Functions Transferred)

The Department of Ecology may disburse matching grants from funds provided by the legislature from the air pollution control account, created in RCW 70A.15.1010, to units of local government to partially offset the additional cost of purchasing “clean fuel” and/or operating “clean-fuel vehicles” provided that such vehicles are used for public transit. Publicly owned school buses are considered public transit for the purposes of this section. The department may also disburse grants to vocational-technical institutes for the purpose of establishing programs to certify clean-fuel vehicle mechanics. The department may also distribute grants to Washington State University for the purpose of furthering the establishment of clean fuel refueling infrastructure.

Chapter 70A.25 RCW: Motor Vehicle Emission Control

Findings

(2005 c295 §1 ESHB 1397 Motor Vehicle Emissions Standards)

The legislature finds that:

- (1) Motor vehicles are the largest source of air pollution in the state of Washington, and motor vehicles contribute approximately 57% of criteria air pollutant emissions, 80% of air toxics emissions, and 55% of greenhouse gas emissions;

- (3) Reductions of greenhouse gas emissions from transportation sources are necessary, and it is equitable to seek such reductions because reductions in greenhouse gas emissions have already been initiated in other sectors such as power generation;
- (4) Reductions in greenhouse gas emissions made under this act should be credited toward any future federal, state, or regional comprehensive regulatory structure enacted to address reducing greenhouse gas emissions;
- (7) Adoption of the California motor vehicle standards will increase consumer choices of cleaner vehicles, provide better warranties to consumers, and provide sufficient air quality benefit to allow additional business and economic growth in the key airsheds of the state while maintaining conformance with federal air quality standards.

RCW 70A.25.120: Clean-fuel performance and clean-fuel vehicle emissions specifications

(1991 c199 §212 ESHB 1028 Air Pollution Reduction, amended by 1996 c186 §518 4SHB 2009 State Energy Office-Elimination-Functions Transferred)

By July 1, 1992, the Department of Ecology shall develop, in cooperation with the departments of enterprise services and transportation, and Washington State University, aggressive clean-fuel performance and clean-fuel vehicle emissions specifications including clean-fuel vehicle conversion equipment. To the extent possible, such specifications shall be equivalent for all fuel types. In developing such specifications the department shall consider the requirements of the clean air act and the findings of the environmental protection agency, other states, the American Petroleum Institute, the Gas Research Institute, and the Motor Vehicles Manufacturers Association.

Chapter 70A.30 RCW: Motor Vehicle Emission Standards

RCW 70A.30.010: Ecology to adopt rules to implement California motor vehicle emission standards

(2005 c295 §1 ESHB 1397 Motor Vehicle Emissions Standards, amended by 2020 c413 §1 SB 5811 Zero Emission Vehicles)

Pursuant to the federal Clean Air Act, the legislature adopts the California motor vehicle emission standards in Title 13 of the California Code of Regulations. Ecology shall adopt rules to implement the motor vehicle emission standards of the state of California, including the zero emission vehicle program, and shall amend the rules from time to time, to maintain consistency with the California motor vehicle emission standards and 42 U.S.C. Sec. 7507 (section 177 of the federal Clean Air Act).

Chapter 70A.45: Limiting Greenhouse Gas Emissions

RCW 70A.45.020: Greenhouse gas emissions reductions – Reporting requirements

(2008 c14 §7 E2SHB 2815 Greenhouse Gas Emissions, amended by 2020 c79 §3 E2SHB 2311 Greenhouse Gas Emission Limits-Amendment)

- (1) (a) The state shall limit anthropogenic emissions of greenhouse gases to achieve the following emission reductions for Washington state: (i) By 2020, reduce overall emissions of greenhouse gases in the state to 1990 levels, or 90,500,000 metric tons; (ii) By 2030, reduce overall emissions of greenhouse gases in the state to 50 million metric tons, or 45% below 1990 levels; (iii) By 2040, reduce overall emissions of greenhouse gases in the state to 27 million metric tons, or 70% below 1990 levels; (iv) By 2050, reduce overall emissions of greenhouse gases in the state to 5 million metric tons, or 95% below 1990 levels.
- (b) By December 1, 2008, the Department of Ecology shall submit a greenhouse gas reduction plan for review and approval to the legislature, describing those actions necessary to achieve the emission reductions in (a) of this subsection by using existing statutory authority and any additional authority

granted by the legislature. Actions taken using existing statutory authority may proceed prior to approval of the greenhouse gas reduction plan.

- (c) In addition to the emissions limits specified in (a) of this subsection, the state shall also achieve net zero greenhouse gas emissions by 2050. Except where explicitly stated otherwise, nothing in chapter 14, Laws of 2008 limits any state agency authorities as they existed prior to June 12, 2008.
 - (d) Consistent with this directive, the department shall take the following actions: (i) Develop and implement a system for monitoring and reporting emissions of greenhouse gases as required under RCW 70A.15.2200; and (ii) Track progress toward meeting the emission reductions established in this subsection, including the results from policies currently in effect that have been previously adopted by the state and policies adopted in the future, and report on that progress. Progress reporting should include statewide emissions as well as emissions from key sectors of the economy including, but not limited to, electricity, transportation, buildings, manufacturing, and agriculture.
- (2) By December 31 of each even-numbered year beginning in 2010, the department and the department of commerce shall report to the governor and the appropriate committees of the senate and house of representatives the total emissions of greenhouse gases for the preceding two years, and totals in each major source sector, including emissions associated with leaked gas identified by the utilities and transportation commission under RCW 81.88.160. The report must include greenhouse gas emissions from wildfires, developed in consultation with the department of natural resources. The department shall ensure the reporting rules adopted under RCW 70A.15.2200 allow it to develop a comprehensive inventory of emissions of greenhouse gases from all significant sectors of the Washington economy.

RCW 70A.45.050: Greenhouse gas emission limits for state agencies – Timeline – Reports – Strategy – Point of accountability employee for energy and climate change initiatives

(2009 c519 §2 E2SSB 5560 State Agencies-Emissions Reduction, amended by 2020 c79 §3 E2SHB 2311 Greenhouse Gas Emission Limits-Amendment)

- (1) State agencies shall meet the statewide greenhouse gas emission limits established in RCW 70A.45.020 to achieve the following, using the estimates and strategy established in subsections (2) and (3) of this section:
 - (a) By July 1, 2020, reduce emissions of greenhouse gases to 805,000 metric tons, or 15% below 2005 emission levels;
 - (b) By 2030, reduce emissions of greenhouse gases to 521,000 metric tons, or 45% below 2005 levels;
 - (c) By 2040, reduce emissions of greenhouse gases to 284,000 metric tons, or 70% below 2005 levels; and
 - (d) By 2050, reduce overall emissions of greenhouse gases to 47,000 metric tons, or 95% below 2005 levels and achieve net zero greenhouse gas emissions by state government as a whole.
- (2) (a) By June 30, 2010, state agencies shall report estimates of emissions for 2005 to the department, including 2009 levels of emissions, and projected emissions through 2035.
 - (b) State agencies required to report under RCW 70A.15.2200 must estimate emissions from methodologies recommended by the department and must be based on actual operation of those agencies. Agencies not required to report under RCW 70A.15.2200 shall derive emissions estimates using an emissions calculator provided by the department.
- (3) By June 1 of each even-numbered year beginning in 2022, state agencies shall report to the department, and to the state efficiency and environmental performance office at the department of commerce, the actions planned for the next two biennia to meet emission reduction targets and the actions taken to meet the emission reduction targets established in this section. The report must also include the agency's long-term strategy for meeting the emission reduction targets established in this section, which the agency shall update as appropriate. The department and the state efficiency and environmental performance office at the department of commerce shall review and compile the agency reports and, by December 1 of each

even-numbered year beginning in 2022, provide a consolidated report to the appropriate committees of the legislature. This report must include recommendations for budgetary and other actions that will assist state agencies in achieving the greenhouse gas emissions reductions specified in this section. The department may authorize the department of enterprise services to report on behalf of any state agency having fewer than 500 full-time equivalent employees at any time during the reporting period. The department shall cooperate with the department of enterprise services and the state efficiency and environmental performance office at the department of commerce to develop consolidated reporting methodologies that incorporate emission reduction actions taken across all or substantially all state agencies.

- (4) State agencies shall cooperate in providing information to the department, the department of enterprise services, and the department of commerce for the purposes of this section.

RCW 70A.45.060: Emissions calculator for estimating aggregate emissions – Reports

(2009 c519 §5 E2SSB 5560 State Agencies-Emissions Reduction)

- (1) The department shall develop an emissions calculator to assist state agencies in estimating aggregate emissions as well as in estimating the relative emissions from different ways in carrying out activities.
- (2) The department may use data such as totals of building space occupied, energy purchases and generation, motor vehicle fuel purchases and total mileage driven, and other reasonable sources of data to make these estimates. The estimates may be derived from a single methodology using these or other factors, except that for the top ten state agencies in occupied building space and vehicle miles driven, the estimates must be based upon the actual and projected operations of those agencies. The estimates may be adjusted, and reasonable estimates derived, when agencies have been created since 1990 or functions reorganized among state agencies since 1990. The estimates may incorporate projected emissions reductions that also affect state agencies under the program authorized in RCW 70A.45.020 and other existing policies that will result in emissions reductions.
- (3) By December 31 of each even-numbered year beginning in 2010, the department shall report to the governor and to the appropriate committees of the Senate and House of Representatives the total state agencies' emissions of greenhouse gases for 2005 and the preceding two years and actions taken to meet the emissions reduction targets.

Chapter 70A.535: Transportation Fuel – Clean Fuels Program

RCW 70A.535.005 – Findings

(2021 c317 §1 E3SHB 1091 Transportation Fuel – Clean Fuels Program)

- (1) The legislature finds that rapid innovations in low carbon transportation technologies, including electric vehicles and clean transportation fuels, are at the threshold of widespread commercial deployment. In order to help prompt the use of clean fuels, other states have successfully implemented programs that reduce the carbon intensity of their transportation fuels. California and Oregon have both implemented low carbon fuel standards that are similar to the program created in chapter 317, Laws of 2021, and both states have experienced biofuel sector growth and have successfully sited large biofuel projects that had originally been planned for Washington. Washington state has extensively studied the potential impact of a clean fuels program, and most projections show that a low carbon fuel standard would decrease greenhouse gas and conventional air pollutant emissions, while positively impacting the state's economy.

RCW 70A.535.020: Carbon intensity of transportation fuels—Standards to reduce carbon intensity—Adoption of rules

(2021 c317 §3 E3SHB 1091 Transportation Fuel – Clean Fuels Program)

- (1) The department shall adopt rules that establish standards that reduce carbon intensity in transportation fuels used in Washington. The standards established by the rules must be based on the carbon intensity of gasoline and gasoline substitutes and the carbon intensity of diesel and diesel substitutes. The standards:
 - (a) Must reduce the overall, aggregate carbon intensity of transportation fuels used in Washington;
 - (b) May only require carbon intensity reductions at the aggregate level of all transportation fuels and may not require a reduction in carbon intensity to be achieved by any individual type of transportation fuel;
 - (c) Must assign a compliance obligation to fuels whose carbon intensity exceeds the standards adopted by the department, consistent with the requirements of RCW 70A.535.030; and
 - (d) Must assign credits that can be used to satisfy or offset compliance obligations to fuels whose carbon intensity is below the standards adopted by the department and that elect to participate in the program, consistent with the requirements of RCW 70A.535.030.
- (2) The clean fuels program adopted by the department must be designed such that:
 - (a) Regulated parties generate deficits and may reconcile the deficits, and thus comply with the clean fuels program standards for a compliance period, by obtaining and retiring credits;
 - (b) Regulated parties and credit generators may generate credits for fuels used as substitutes or alternatives for gasoline or diesel;
 - (c) Regulated parties, credit generators, and credit aggregators shall have opportunities to trade credits; and
 - (d) Regulated parties shall be allowed to carry over to the next compliance period a small deficit without penalty.
- (5) (a) Except as provided in this section, the rules adopted under this section must reduce the greenhouse gas emissions attributable to each unit of the fuels to 20% below 2017 levels by 2038 based on the following schedule: (i) no more than 0.5% each year in 2023 and 2024; (ii) no more than an additional 1% each year beginning in 2025 through 2027; (iii) no more than an additional 1.5% each year beginning in 2028 through 2031; and (iv) no change in 2032 and 2033.
 - (b) The rules must establish a start date for the clean fuels program of no later than January 1, 2023.

RCW 70A.535.050: Generation of credits

(2021 c317 §6 E3SHB 1091 Transportation Fuel – Clean Fuels Program)

- (1) The rules adopted under RCW 70A.535.020 and 70A.535.030 may allow the generation of credits from activities that support the reduction of greenhouse gas emissions associated with transportation in Washington, including but not limited to:
 - (a) Carbon capture and sequestration projects, including but not limited to: (i) innovative crude oil production projects that include carbon capture and sequestration; (ii) project-based refinery greenhouse gas mitigation including, but not limited to, process improvements, renewable hydrogen use, and carbon capture and sequestration; or (iii) direct air capture projects;
 - (b) Investments and activities that support deployment of machinery and equipment used to produce gaseous and liquid fuels from nonfossil feedstocks, and derivatives thereof;
 - (c) The fueling of battery or fuel cell electric vehicles by a commercial, nonprofit, or public entity that is not an electric utility, which may include, but is not limited to, the fueling of vehicles using electricity certified by the department to have a carbon intensity of zero; and
 - (d) The use of smart vehicle charging technology that results in the fueling of an electric vehicle during times when the carbon intensity of grid electricity is comparatively low.

- (2) (a) The rules adopted under RCW 70A.535.020 and 70A.535.030 must allow the generation of credits based on capacity for zero emission vehicle refueling infrastructure, including DC fast charging infrastructure and hydrogen refueling infrastructure.
- (b) The rules adopted under RCW 70A.535.020 and 70A.535.030 may allow the generation of credits from the provision of low carbon fuel infrastructure not specified in (a) of this subsection.
- (3) The rules adopted under RCW 70A.535.020 and 70A.535.030 must allow the generation of credits from state transportation investments funded in an omnibus transportation appropriations act for activities and projects that reduce greenhouse gas emissions and decarbonize the transportation sector. These include, but are not limited to: (a) electrical grid and hydrogen fueling infrastructure investments; (b) ferry operating and capital investments; (c) electrification of the state ferry fleet; (d) alternative fuel vehicle rebate programs; (e) transit grants; (f) infrastructure and other costs associated with the adoption of alternative fuel use by transit agencies; (g) bike and pedestrian grant programs and other activities; (h) complete streets and safe walking grants and allocations; (i) rail funding; and (j) multimodal investments.
- (4) The rules adopted by the department may establish limits for the number of credits that may be earned each year by persons participating in the program for some or all of the activities specified in subsections (1) and (2) of this section. The department must limit the number of credits that may be earned each year under subsection (3) of this section to 10% of the total program credits. Any limits established under this subsection must take into consideration the return on investment required in order for an activity specified in subsection (2) of this section to be financially viable.

RCW 70A.535.080: Electric utilities—Use of certain revenues—Provision of information to the department

(2021 c317 §9 E3SHB 1091 Transportation Fuel – Clean Fuels Program)

- (1) (a) Fifty percent of the revenues generated by an electric utility from credits earned from the electricity supplied to retail customers by an electric utility under the clean fuels program must be expended by the electric utility on transportation electrification projects, which may include projects to support the production and provision of hydrogen and other gaseous fuels produced from nonfossil feedstocks, and derivatives thereof as a transportation fuel.
- (b) Sixty percent of the revenues described in (a) of this subsection, or 30% of the revenues generated by an electric utility from credits earned from the electricity supplied to retail customers by an electric utility under the clean fuels program, must be expended by the electric utility on transportation electrification projects, which may include projects to support the production and provision of hydrogen and other gaseous fuels produced from nonfossil feedstocks, and derivatives thereof as a transportation fuel, located within or directly benefiting a federally designated nonattainment or maintenance area, a federally designated nonattainment or maintenance area that existed as of January 1, 2021, a disproportionately impacted community identified by the department of health, or an area designated by the department as being at risk of nonattainment, if such a nonattainment or maintenance area or disproportionately impacted community is within the service area of the utility.
- (2) (a) Each electric utility must spend 50% of revenues not subject to the requirements of subsection (1) of this section on one or more transportation electrification programs or projects it selects from a list of types of programs and projects jointly developed by the department and the Washington state department of transportation. The department and the Washington state department of transportation must develop the list based on those with the highest impact on reducing greenhouse gas emissions and decarbonizing the transportation sector. The types of transportation electrification projects or programs placed on the list must include, but are not limited to: (i) provision of new or used zero emissions vehicles at no cost or at a discount to nonprofit service providers, transit agencies, or public fleets for the purpose of providing transportation services for low-income or vulnerable populations or to reduce transportation costs for the nonprofits, transit agencies, or public fleets serving low-income or vulnerable populations; (ii) construction, operation, or maintenance of, or

funding for charging infrastructure, including smart charging infrastructure, or hydrogen fueling infrastructure; (iii) expanding grid capacity to enable transportation electrification investments directly associated with expenditures permitted by this chapter; and (iv) partnership programs with public and private vehicle fleet owners to enable increased electrification of transportation.

- (b) Under (a) of this subsection, electric utilities should consider programs or projects that expand low and moderate-income customer access to zero emissions transportation, when prioritizing program expenditures.

Chapter 89.08: Reclamation, Soil Conservation and Land Settlement – Conservation Districts

RCW 89.08.570 – Crop purchase contracts for dedicated energy crops

(2007 c348 §207 E2SHB 1303 Cleaner Energy)

In addition to any other authority provided by law, conservation districts are authorized to enter into crop purchase contracts for a dedicated energy crop for the purposes of producing, selling, and distributing biodiesel produced from Washington state feedstocks, cellulosic ethanol, and cellulosic ethanol blend fuels.

WAC 194-28: Practicable Use of Electricity and Biofuels to Fuel State Vehicles, Vessels, and Construction Equipment

(Statutory Authority RCW 43.325.080, WSR 13-10-016, effective 5/23/13)

194-28-010: Authority and purpose

This chapter is pursuant to the authority granted in RCW 43.325.080, which requires the department to adopt rules to define practicability and clarify how state agencies will be evaluated in determining whether they have met the goals set forth in RCW 43.19.648. The goals call for all state agencies, to the extent practicable, to:

- (1) Achieve 40% fuel usage for operating publicly owned vessels, vehicles, and construction equipment from electricity or biofuel by June 1, 2013, and
- (2) Satisfy 100% of their fuel usage for operating publicly owned vessels, vehicles, and construction equipment from electricity or biofuel, effective June 1, 2015.

194-28-020: Definitions and abbreviations

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

- (1) “Agency” or “agencies”: Any state agency or all state agencies, including institutions of higher education.
- (2) “Biofuels”: As defined by RCW 43.325.010(4) includes but is not limited to biodiesel, ethanol, ethanol blend fuels, and renewable liquid natural gas or liquid compressed natural gas made from biogas.
- (3) “Department”: Department of Commerce.
- (4) “Ecology”: Department of Ecology.
- (5) “Electric vehicle supply equipment (EVSE)”: Equipment that delivers electrical energy from an electricity source to charge plug-in electric vehicle batteries.
- (6) “Enterprise Services”: Department of Enterprise Services.
- (7) “Greenhouse gas,” “greenhouse gases,” “GHG” and “GHGs”: Include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Beginning January 1, 2012, “greenhouse gas” also includes any other gas or gases designated by ecology by rule in Table A-1 under WAC 173-441-040.
- (8) “Hybrid electric vehicle (HEV)”: A vehicle that combines an internal combustion engine or other propulsion source with batteries, regenerative braking, and an electric motor. HEVs rely on petroleum-based or alternative fuel for power and are not plugged in to charge batteries.

- (9) "Lifecycle cost": Total cost of ownership over the life of an asset. This includes purchase or lease cost, operations and maintenance, depreciation, and resale or surplus value.
- (10) "Light-duty vehicle": A vehicle with a gross vehicle weight of up to 8,500 pounds.
- (11) "Medium-duty vehicle": A vehicle with a gross vehicle weight between 8,500 and 10,000 pounds.
- (12) "Plug-in electric vehicle (PEV)": A vehicle that derives all or part of its power from electricity supplied by an external source.
- (13) "Plug-in hybrid electric vehicle (PHEV)": A vehicle that uses batteries to power an electric motor, plugs into an external source to charge batteries, and also uses petroleum-based or alternative fuel to power an internal combustion engine to charge batteries. PHEVs are also known as extended range electric vehicles.
- (14) "Practicable or practicability": The extent to which electricity and biofuel can be used as a fuel source for state vehicles, vessels, and construction equipment as determined by such factors as cost differentials between fuels, availability, refueling infrastructure, functional differences, technical feasibility, implementation costs, and other factors.
- (15) "Reasonably available": A determination dependent upon multiple dynamic factors affecting reliable volumes and delivery systems, including ability to purchase through the state procurement system, location of refueling infrastructure, and other issues. RCW 43.19.648(1) provides the department the ability to allow state agencies to substitute compressed natural gas (CNG), liquid natural gas (LNG), and propane from fossil fuel sources if the department determines that electricity and biofuel are not reasonably available.
- (16) "Renewable natural gas": Biogas derived from landfills, wastewater treatment facilities, anaerobic digesters, and other sources of organic decomposition that has been purified to meet standards for natural gas derived from fossil fuel sources.
- (17) "Vehicles, vessels, and construction equipment": Publicly owned vessels, vehicles, and construction equipment operated by a state agency. It does not mean aircraft and stationary electrical generating equipment.

194-28-030: Applicability

All state agencies are required to transition all vehicles, vessels, and construction equipment to electricity and biofuels to the extent practicable. The provisions of this chapter apply statewide.

194-28-040: Assessment data

For purposes of assessing and reporting use of electricity and biofuels, the department will use data collected and compiled annually by ecology on agency GHG emissions as directed by RCW 70.235.050. In the event that mandatory reporting of agency GHG emissions is repealed, the department will work with stakeholders to identify an efficient and effective alternate means of obtaining and reporting information needed to monitor compliance.

Given the findings of the underlying legislation and associated policies guiding agency use of alternative fuels and vehicles, the department intends to continue to monitor agency compliance beyond June 1, 2015.

194-28-050: Compliance threshold

In order to maximize administrative efficiency while still addressing the preponderance of agency fuel consumption, compliance will be assessed for each agency that reported use of more than 50,000 gallons of gasoline and diesel, combined, during the 2011 calendar year for vehicles, vessels, and construction equipment. Progress towards compliance by agencies below this threshold will be assessed in aggregate.

Agencies meeting the threshold for individual compliance assessment are:

- Washington state department of agriculture
- Washington state department of corrections
- Washington state department of ecology

- Washington state department of enterprise services
- Washington state department of fish and wildlife
- Washington state department of labor and industries
- Washington state department of natural resources
- Washington state department of social and health services
- Washington state department of transportation
- Washington state liquor control board
- Washington state parks and recreation commission
- Washington state patrol
- Eastern Washington University
- University of Washington
- Washington State University
- Western Washington University

194-28-060: Technical coordination

The department, in cooperation with the Washington State University energy program and external stakeholders with appropriate knowledge and expertise, will convene quarterly meetings with the agencies listed in WAC 194-28-050 to discuss trends in alternative fuel and vehicle development, including current and near-term market availability, procurement costs and pricing differentials, performance metrics, innovative procurement opportunities, and fleet management tools. The meetings will take place in person, by phone, via the Internet, or any combination thereof through the second quarter of 2015, and thereafter as may be warranted.

194-28-070: Compliance evaluation

RCW 43.325.080 requires the department to specify how agency efforts to meet the goals set forth in RCW 43.19.648(1) will be evaluated. In so doing, the department will consider the following criteria in determining whether state agencies have, to the extent practicable, satisfied 100% of fuel usage for operating vessels, vehicles, and construction equipment from electricity or biofuel, effective June 1, 2015:

(1) Vehicle electrification

- (a) It is considered practicable to procure a PHEV and PEV light-duty vehicle, light-duty truck, or medium-duty passenger vehicle when the following criteria are met: (i) The vehicle is due for replacement, (ii) The anticipated driving range or use would not require battery charging in the field on a routine basis; and (iii) The lifecycle cost is within 5% of an equivalent HEV based on anticipated length of service.
- (b) Agencies are encouraged to pursue electrification in additional vehicle classes as opportunities emerge.
- (c) Per RCW 43.19.648(5), agencies are to install EVSE capable of charging PEVs and PHEVs in each of the state's fleet parking and maintenance facilities, to the extent practicable, by December 31, 2015. The department is not charged with monitoring or reporting on compliance with this law, but agencies need to show progress in this area for electricity to be a feasible fuel source at these locations.
- (d) Under the federal Energy Independence and Security Act of 2007, the U.S. Department of Energy (USDOE) is responsible for rulemaking to determine the extent to which alternative fuel credits recognize electricity used by HEVs and PHEVs in state vehicle fleets subject to the federal Energy Policy Act of 1992. The department will utilize the USDOE rule when crediting compliance for these vehicles.

(2) Biofuels

- (a) Biodiesel: Unless otherwise limited by law, it is considered practicable for agencies to: (i) Use a minimum of 20% biodiesel-blend fuel (B20) on an annualized basis when purchasing fuel through the state procurement system. (ii) Make good faith efforts to identify sources and procure a minimum of B20 when purchasing fuel on a retail basis.

- (b) Ethanol: It is considered practicable for agencies with “flex-fuel” vehicles capable of using either high-blend ethanol fuel (E85) or regular gasoline to make good faith efforts to identify sources and procure E85 when purchasing fuel on a retail basis if the price of E85 is at least 20% less than regular gasoline.
 - (d) Renewable Natural Gas: It is considered practicable for agencies considering acquisition of natural gas-fueled vehicles to actively assess opportunities to procure renewable natural gas as the primary fuel.
- (3) Alternate fuels: Compressed natural gas, liquefied natural gas, or propane may be substituted for electricity or biofuel if the department determines that electricity and biofuel are not reasonably available. If an agency believes electricity and biofuels are not reasonably available to fuel a specific vehicle, vessel, or construction equipment, the agency must submit a request for such a determination to the department by July 1 of the year prior to the agency’s anticipated procurement on a form provided by the department. Such a request may be made as part of the agency’s annual reporting under WAC 194-28-080.

194-28-080: Demonstration of progress

By July 1 of each year, each agency listed in WAC 194-28-050 must submit to the department an annual report on a form provided by the department documenting how it is complying with the criteria in WAC 194-28-070, including reasons for noncompliance and plans for future compliance.

WAC 194-29: Practicable Use of Electricity and Biofuels to Fuel Local Government Vehicles, Vessels, and Construction Equipment

(Statutory Authority RCW 43.325.080, WSR 16-21-099, effective 11/19/16)

194-29-010: Authority and purpose

These rules are adopted pursuant to the authority granted in RCW 43.325.080, which requires the department to adopt rules to define practicability and clarify how local governments will be evaluated in determining whether they have met the goals set forth in RCW 43.19.648(2). These goals require all local governments, to the extent practicable, to satisfy 100% of their fuel usage for operating publicly owned vehicles, vessels and construction equipment from electricity or biofuel, effective June 1, 2018.

194-29-020: Definitions

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

- (1) "Biofuel" means a liquid or gaseous fuel derived from organic matter intended for use as a transportation fuel, including, but not limited to, biodiesel, renewable diesel, ethanol, renewable natural gas, and renewable propane.
- (2) "Department" means the department of commerce.
- (3) "Electric vehicle" means a vehicle with motive energy supplied solely by an electric motor.
- (4) "Hybrid electric vehicle" means a vehicle with motive energy supplied by both an internal combustion engine and an electric motor powered primarily by externally supplied sources of energy. Vehicles that utilize externally supplied energy for electric power take-off functionality are also considered hybrid electric vehicles.
- (5) "Lifecycle cost" means the total cost of ownership over the life of an asset including, but not limited to, purchase or lease cost, financing costs, taxes, incentives, operation, maintenance, depreciation, resale or surplus value, engine conversion, and the incremental cost of associated refueling infrastructure.
- (6) "Local government" means any unit of local government including, but not limited to, counties, cities, towns, municipal corporations, quasi-municipal corporations, special purpose districts, and school districts.
- (7) "Practicable" or "practicability" means the extent to which alternative fuels and vehicle technologies can be used to displace gasoline and diesel fuel in vehicles, as determined by multiple dynamic factors

including cost and availability of fuels and vehicles, changes in fueling infrastructure, operations, maintenance, technical feasibility, implementation costs, and other factors.

- (8) "Procure" means to purchase or lease.
- (9) "Renewable diesel" means diesel fuel derived from organic matter that has been purified to meet requirements for use as a transportation fuel.
- (10) "Renewable natural gas" means a methane-rich biogas derived from landfills, wastewater treatment facilities, anaerobic digesters, and other sources of organic decomposition that has been purified to meet requirements for use as a transportation fuel.
- (11) "Renewable propane" means propane derived from organic matter that has been purified to meet requirements for use as a transportation fuel.
- (12) "Revenue fleet" means all vehicles used to provide transportation services where a local government is directly or indirectly compensated for the services provided to passengers.
- (13) "Vehicle" means a motorized vehicle, vessel or construction equipment. It does not mean an aircraft, railed vehicle, or stationary electrical generating equipment.

194-29-030: Applicability

All local governments are required to transition all vehicles to electricity or biofuels to the extent practicable. The provisions of this chapter apply statewide. Pursuant to RCW 43.19.648(2):

- (1) Revenue fleets with a majority of active vehicles, not including transit vans, using compressed natural gas on June 1, 2018 are exempt from these rules. Transit vans and nonrevenue fleet vehicles remain subject to these rules.
- (2) These rules do not require engine retrofits that would void warranties, or replacement of vehicles before the end of their useful lives.
- (3) If a local government believes it is not practicable to use electricity or biofuels to fuel police, fire or other emergency response vehicles, including utility vehicles frequently used for emergency response, it is encouraged to consider alternate fuels and vehicle technologies, such as natural gas or propane, to displace gasoline and diesel fuel use. Local governments that opt to exempt emergency response vehicles from these rules must notify the department as part of their annual reporting under WAC 194-29-080.

194-29-040: Assessment data and reporting

For purposes of assessing compliance with these rules, each local government using 200,000 or more gallons of gasoline and/or diesel to fuel vehicles on an annual basis is required to report as described in WAC 194-29-080. The department will collect data from a variety of sources to ensure local governments meeting this threshold are fulfilling the reporting requirement. To determine which transit agencies meet the reporting threshold, the department will use the most recent data from the National Transit Database, as published by the Washington state department of transportation.

Any local government with fuel use that initially meets the reporting threshold but subsequently drops below the threshold is encouraged to continue filing reports.

Given the findings of the underlying legislation and associated policies guiding public sector use of alternative fuels and vehicles, the department intends to continue to monitor local government compliance beyond June 1, 2018.

194-29-050: Compliance threshold

Pursuant to RCW 43.19.648(2), all local governments must comply with these rules.

194-29-060: Technical coordination

The department, in cooperation with external stakeholders with appropriate knowledge and expertise, will convene meetings at least quarterly of the agencies listed in WAC 194-28-050 and local governments required to report under this rule to discuss trends in alternative fuel and vehicle development, including current and near-term market availability, performance metrics, innovative procurement opportunities, and fleet management tools. The meetings will take place in person, by phone, via the Internet, or any combination thereof, through the year 2020, and thereafter as may be warranted.

194-29-070 – Compliance evaluation

RCW 43.325.080 requires the department to specify how local government efforts to meet the goals set forth in RCW 43.19.648(2) will be evaluated. While local governments are responsible for determining the most effective means of displacing their gasoline and diesel consumption through vehicle electrification and biofuel use, procurement decisions should be guided primarily through a comparison of alternatives on a lifecycle cost basis. The department will provide an analytical tool to assist local governments in their assessment of lifecycle costs. Local governments may use alternate means of determining lifecycle costs so long as all the variables included in the department's analytical tool are taken into consideration.

Local governments must consider the following criteria in determining whether they have, to the extent practicable, satisfied 100% of fuel usage for operating vehicles, vessels and construction equipment from electricity or biofuel, effective June 1, 2018:

(1) Vehicles

- (a) It is considered practicable to procure an electric or hybrid electric vehicle when the following criteria are met: A vehicle is available that meets operational needs, charging requirements can be met during routine use or through fleet management strategies, and the lifecycle cost is equal to or less than the lifecycle cost of the vehicle the local government would otherwise procure.
- (b) If the criteria in (a) cannot be met, it is considered practicable to procure or convert a vehicle to be fueled in whole or in part by natural gas or propane when the lifecycle cost is equal to or less than the lifecycle cost of the vehicle the local government would otherwise procure.
- (c) When making procurement decisions involving vehicles with diesel engines, it is considered practicable for local governments to select vehicles with engine warranties that provide for the highest level of biodiesel use.
- (d) When making procurement decisions involving vehicles with gasoline engines, local governments are encouraged to lease vehicles in order to take advantage of new alternative fuel and vehicle technologies in a timely manner.

(2) Biofuels

- (a) Biodiesel and Renewable Diesel. Unless otherwise limited by law, it is considered practicable for local governments to:
 - (i) Use 5% biodiesel-blended fuel (B5) in all applications when the fuel is available at retail or for delivery to on-site storage tanks at a price no more than 1% higher than #2 ultra-low sulfur diesel.
 - (ii) Use biodiesel-blended fuels containing more than five% biodiesel in all applications unless otherwise restricted by warranty or air quality regulation when the fuel is available for delivery to on-site storage tanks at a price no more than 1% higher than #2 ultra-low sulfur diesel, including the cost of any additives necessary to ensure reliable storage and performance.
 - (iii) Use renewable diesel, or the highest available blend of renewable diesel and #2 ultra-low sulfur diesel, when the fuel is available at retail or for delivery to on-site storage tanks at a price no more than 1% higher than #2 ultra-low sulfur diesel.

- (b) Ethanol. It is considered practicable for local governments with vehicles capable of using high-level blends of ethanol and gasoline (flex-fuel) to make good faith efforts to identify sources and use flex-fuel when the fuel is available at retail or for delivery to on-site storage tanks at a price that is at least 20% less than regular gasoline.
 - (c) Renewable Natural Gas. It is considered practicable for local governments with natural gas-fueled vehicles to use renewable natural gas, or the highest available blend of renewable and conventional natural gas, when the fuel is available at retail or for delivery to on-site storage tanks at a price equal to or less than conventional natural gas.
 - (d) Renewable Propane. It is considered practicable for local governments with propane-fueled vehicles to use renewable propane, or the highest available blend of renewable and conventional propane, when the fuel is available at retail or for delivery to on-site storage tanks at a price equal to or less than conventional propane.
- (3) Local governments are encouraged to install electric vehicle charging infrastructure in all fleet parking and maintenance facilities, and to incorporate charging into all new facility construction and substantial remodeling projects.

194-29-080 – Demonstration of progress

By July 1 of each year, each local government required to report under WAC 194-29-040 must submit to the department an annual report on a form provided by the department documenting how it is complying with the goal of satisfying 100% of fuel usage for operating vehicles, vessels and construction equipment from electricity or biofuel by June 1, 2018, based on the criteria in WAC 194-29-070, including any reasons for noncompliance and plans for future compliance.

Executive Orders (active)

EO 20-01: State Efficiency & Environmental Performance

When making purchasing, construction, leasing, and other decisions that affect state government's emissions of GHGs or other toxic substances, agencies shall explicitly consider the benefits and costs (including the social costs of carbon) of available options to avoid those emissions. Where cost-effective and workable solutions are available that will reduce or eliminate emissions, decision makers shall select the lower-emissions options.

A cross-agency Governing Council (Council) shall adopt and implement clear and workable standards, measures, targets, and tools necessary to support agencies in reducing emissions, solid waste, and toxics. Directors of the state agencies covered by this order, operating in compliance with the parameters established by the Council, shall be responsible for the following:

- a) Zero-Emission Vehicles. For many uses, battery-electric vehicles (BEVs) are now more cost-effective for the state to own and operate than conventionally-powered or hybrid vehicles, considering full life-cycle costs. Therefore, Directors shall ensure that each lease or purchase of new vehicles shall prioritize BEVs (or better emerging technology) and support the installation of associated charging infrastructure. For vehicle classes in which BEVs are not available, agencies shall prioritize the most cost-effective low-emission options available.
- d) State Ferries. The Secretary of the Department of Transportation (WSDOT) shall ensure that the Washington State Ferry system begins the transition to a zero-carbon emission ferry fleet, including the accelerated adoption of both ferry electrification and operational improvements that will conserve energy and cut fuel use.

Executive Orders (inactive)

EO 18-01: State Efficiency & Environmental Performance (superseded by 20-01)

When making purchasing, construction, leasing, and other decisions that affect state government's emissions of GHGs or other toxic substances, agencies shall explicitly consider the benefits and costs (including the social cost of carbon) of available options to avoid those emissions. Where cost-effective and workable solutions are available that will reduce or eliminate emissions, decision makers shall select the lower-emissions options.

A cross-agency Governing Council shall adopt and implement clear and workable standards, measures, targets, and tools necessary to support agencies in making emissions-reducing choices. Directors of the state agencies covered by this order, operating in compliance with the parameters established by the Governing Council, shall be responsible for the following:

- a) Zero-Emission Vehicles. For many uses, battery-electric vehicles (BEVs) are now more cost-effective for the state to own and operate than conventionally-powered or hybrid vehicles, considering full life-cycle costs. Therefore, Directors shall ensure that each lease or purchase of new vehicles shall prioritize BEVs (or better emerging technology), and that all trips which could be feasibly made by BEVs shall employ them. For vehicle classes in which BEVs are not available, agencies shall prioritize the most cost-effective low-emission options available.
- d) State Ferries. The Secretary of the Department of Transportation (WSDOT) shall ensure that the Washington State Ferry system begins the transition to a zero-carbon-emission ferry fleet, including the accelerated adoption of both ferry electrification and operational improvements that will conserve energy and cut fuel use.

EO 14-04: Washington Carbon Pollution Reduction and Clean Energy Action (superseded by 18-01)

CLEAN TRANSPORTATION

The Department of Transportation, in collaboration with federal, state, regional, and local partners, will develop an action plan to advance electric vehicle use, to include recommendations on targeted strategies and policies for financial and non-financial incentives for consumers and businesses, infrastructure funding

mechanisms, signage, and building codes. The Department will continue to build out the electric vehicle charging network along state highways and at key destinations, as funding and partnerships allow.

The Department of Ecology will review the State's clean car law, RCW 70.120A.010, to identify and recommend needed updates to the statute, including the use of zero emission vehicles.

The Office of Financial Management, working with other state agencies, and with advice from subject matter experts, affected industries, and public interests, will evaluate the technical feasibility, costs and benefits, and job implications of requiring the use of cleaner transportation fuels through standards that reduce the carbon intensity of these fuels over time.

STATE GOVERNMENT OPERATIONS

The Department of Enterprise Services, in collaboration with other agencies, will evaluate progress and develop recommendations for improving efficiency and reducing emissions from state government operations, as needed to meet the targets established by Results Washington.

The Department of Commerce, in collaboration with the Departments of Enterprise Services and Ecology, will evaluate incentives and life-cycle costs for the purchase of electric vehicles and other clean-fuel cars, for use in the state and other public fleets. The Department of Enterprise Services will move forward with state procurement of these vehicles where the life-cycle costs and benefits are comparable, including consideration of the benefits of emission reductions.

EO 09-05: Washington's Leadership on Climate Change (superseded by 14-04)

- 1) The Director of the Department of Ecology to:
 - f) In consultation with the Departments of Commerce and Transportation, assess whether the California low-carbon fuel standards; standards developed or proposed in other states, provinces or for the nation; or modified standards or alternative requirements to reduce carbon in transportation fuels would best meet Washington's greenhouse gas emissions reduction targets. By July 1, 2010, provide to the Governor a recommendation regarding which standards or requirements should be adopted for Washington, either by rule or legislation.
- 2) The Secretary of the Department of Transportation to:
 - a) In consultation with the Departments of Ecology and Commerce, and in collaboration with local governments, business, and environmental representatives, estimate current and future state-wide levels of vehicle miles traveled, evaluate potential changes to the vehicle miles traveled benchmarks established in RCW 47.01.440 as appropriate to address low- or no-emission vehicles, and develop additional strategies to reduce emissions from the transportation sector. Findings and recommendations from this work shall be reported to the Governor by December 31, 2010.
- 3) The Office of the Governor shall work with affected state agencies to develop and seek federal funds to implement a project for the electrification of the West Coast interstate highway and associated metropolitan centers, including request for federal funding to purchase electric vehicles and install public infrastructure for electric and other high-efficiency, zero- or low-carbon vehicles. The Office shall invite the collaboration of the states of Oregon and California and participation by the private sector in developing and implementing this project and in requesting federal support.

EO 07-02: Washington Climate Change Challenge (superseded by 14-04)

- 1) Establishing the following greenhouse gas emissions reduction and clean energy economy goals for Washington State:
 - By 2020, reduce greenhouse gas emissions in the state of Washington to 1990 levels, a reduction of 10 million metric tons below 2004 emissions;
 - By 2035, reduce greenhouse gas emissions in the state of Washington to 25% below 1990 levels, a reduction of 30 million metric tons below 2004;

- By 2050, the state of Washington will do its part to reach global climate stabilization levels by reducing emissions to 50% below 1990 levels or 70% below our expected emissions that year, an absolute reduction in emissions of nearly 50 million metric tons below 2004;
 - By 2020, increase the number of clean energy sector jobs to 25,000 from the 8,400 jobs we had in 2004; and
 - By 2020, reduce expenditures by 20% on fuel imported into the state by developing Washington resources and supporting efficient energy use.
- 2) Implementing the significant policy actions taken in 2005 and 2006 to reduce greenhouse gas emissions. These actions will move Washington State to at least 60% of the 2020 goal and grow the clean energy economy by: ...
- Reducing energy use by state agencies by achieving the goals established in Executive Order 05-01, Establishing Sustainability and Efficiency Goals for State Operations.
- 3) Achieving at least the remaining 40% toward the 2020 goal for Washington State and planning for our future, I, further order and direct:
- A) The Director of the Department of Ecology and the Director of the Department of Commerce in consultation with a broad range of stakeholders to develop a climate change initiative, Washington Climate Change Challenge, to achieve the goals of this Executive Order...
- C) Washington Climate Change Challenge shall address the following elements and process steps:
- i) Consider the full range of policies and strategies for the state of Washington to adopt or undertake to ensure the economic and emission reductions goals are achieved, including policy options that can maximize the efficiency of emission reductions including market-based systems, allowance trading, and incentives.
 - v) Recommend how the state of Washington, as an entity, can reduce its generation of greenhouse gas emissions.

EO 05-01: Establishing Sustainability & Efficiency Goals for State Operations (superseded by 18-01)

- 2) Agencies take all reasonable actions to achieve a 20% reduction in petroleum use in the operation of state vehicles and privately owned vehicles used for state business by September 1, 2009.
- A) Effective immediately, agencies shall freeze the purchase of any four-wheel drive sport utility vehicles and shall instead purchase two-wheel drive vehicles. Four-wheel drive vehicles that are rated to achieve over 30 miles per gallon and vehicles purchased for law enforcement or emergency response purposes are exempt from this prohibition. Agency directors must approve any other exemptions, consistent with criteria to be developed by the Department of Enterprise Services (DES) in consultation with agency fleet managers.
- B) Effective immediately, state agencies shall give priority to the purchase and use of hybrid gas/electric and other fuel efficient/low emission and new petroleum efficient technology vehicles, 1992 federal Energy Policy Act (EPACT) standards notwithstanding.
- C) Effective immediately, agencies shall give priority to the replacement of pre-1996 light duty vehicles driven more than 2,000 miles per year, with the objective of replacing all such vehicles within three years.
- D) DES shall collaborate with the purchasing agencies of the states of Oregon and California on specifications for future purchases of hybrid gas/electric and new petroleum efficient technology vehicles.
- E) By September 1, 2009, state agencies shall replace standard diesel with a 20% biodiesel blend. As soon as practicable, agencies will begin using a minimum 5% biodiesel blend.

- F) The Office of Financial Management (OFM) shall institute a fleet efficiency audit, to be completed by July 1, 2006. The goals of this audit are to evaluate current state practices and make recommendations regarding:
 - 1) Appropriate vehicle utilization rate and size of agency fleets.
 - 2) Appropriate age and mileage for vehicle turnover to maximize performance and minimize maintenance costs and environmental impact.
 - 3) Cost/benefit of personal vehicle use and reimbursement policies.
 - 4) Strategies for improving the overall efficiency of acquiring, using, and maintaining all vehicles in the state fleet.
 - 5) Cost effectiveness of car sharing services.
 - 6) Increasing opportunities for employee ride-sharing on business travel.
 - G) For purposes of this Executive Order, a “fuel efficient/low emission” vehicle is defined as one that achieves more than 30 miles per gallon in fuel efficiency and meets the federal Environmental Protection Agency Tier 2 emission standards. A “light duty” vehicle is considered to be one that is under 8,500 pounds gross vehicle weight.
- 3) Agencies shall employ professional vehicle fleet management and planning practices.
- A) Agencies with over 100 light duty vehicles and professional fleet management (defined as having staff dedicated to managing fleet assets and a fleet management information system):
 - 1) Shall submit a Fleet Management Plan to the OFM Sustainability Coordinator and the DES Fleet Manager by September 1, 2005 as part of the Sustainability Plan required by Executive Order 02-03. Subsequent Fleet Management Plans shall be included in the Sustainability Plans to be completed by September 1 each even-numbered year thereafter. Plans must include:
 - a) A vehicle replacement plan with identified funding.
 - b) Accelerated replacement schedules for pre-1996 light duty vehicles driven more than 2,000 miles per year, with an objective of replacing all such vehicles within three years.
 - c) Annual goals for the percentage of fuel efficient/low emission vehicles in agency fleets.
 - 2) Shall report annually on their progress in implementing their Fleet Management Plan. The first progress report shall be submitted to the OFM Sustainability Coordinator and the DES Fleet Manager by October 15, 2006. Subsequent progress reports shall be submitted each October 15. Each report must include:
 - a) Measures of vehicle maintenance and repairs, annual petroleum use, vehicle miles traveled on state business, and number and type of state vehicles owned (by model year).
 - b) Number of exception purchases of four-wheel-drive sport utility vehicles made under Section 2 of this Executive Order.
 - 3) In lieu of these reporting requirements, affected agencies may contract with DES for the management of their vehicles while still retaining ownership.
 - B) Those agencies with fewer than 100 light duty vehicles or without professional fleet management shall, by September 1, 2005:
 - 1) Arrange to transfer agency vehicles to the DES Motor Pool, or
 - 2) Contract with DES for management of their vehicles while still retaining ownership.
- 8) Agencies include the following information in their Sustainability Plan Progress Reports, required under Executive Order 02-03:
- A) Annual petroleum use, vehicle miles traveled on state business, and the number and type of state vehicles owned (by model year).
 - B) Number of exception purchases of four-wheel-drive sport utility vehicles made under Section 2 of this Executive Order.

EO 04-06: Establishing Sustainability and Efficiency Goals for State Operations (superseded by 05-01)

- 2) Agencies take all reasonable actions to achieve a percentage reduction in petroleum use in the operation of state vehicles and privately owned vehicles used for state business by September 1, 2009.
 - A) By September 1, 2009, state agencies shall replace standard diesel with a 20% biodiesel blend. As soon as practicable, agencies will begin using a minimum 5% biodiesel blend.
 - C) The Office of Financial Management shall institute a fleet efficiency audit, to be completed by July 1, 2006. The goals of this audit are to evaluate current state practices and make recommendations regarding:
 - 1) Appropriate vehicle utilization rate and size of agency fleets.
 - 2) Appropriate age and mileage for vehicle turnover to maximize performance and minimize maintenance costs and environmental impact.
 - 3) Cost/benefit of personal vehicle use and reimbursement policies.
 - 4) Strategies for improving the overall efficiency of acquiring, using and maintaining all vehicles in the state fleet.
- 6) Agencies include the following information in their Sustainability Plan Progress Reports, required under Executive Order 02-03:
 - A) Total annual petroleum use.
 - B) Vehicle miles traveled on state business.
 - C) Number and type of state vehicles owned, by model year.

EO 02-03: Sustainable Practices by State Agencies (superseded by 18-01)

- 1) Each state agency shall establish sustainability objectives and prepare a biennial Sustainability Plan to modify its practices regarding resource consumption; vehicle use; purchase of goods and services; and facility construction, operation and maintenance. Plans should be guided by the following long-term goals:
... Shift to clean energy for both facilities and vehicles ...

Initial plans may be modeled on outline accompanying this order and shall include descriptions of currently used sustainable practices. Each agency shall complete its initial plan by September 1, 2003. Subsequent plans shall be completed by September 1 each even-numbered year thereafter.

Each state agency shall report annually on its progress in implementing its Sustainability Plan. The first progress report shall be submitted to the Office of Financial Management by October 15, 2004. Subsequent progress reports shall be submitted each October 15.

EO 90-06: Washington Environment 2010 Action Agenda (rescinded by 15-04)

- 3) Air Quality
 - d) Department of Enterprise Services, in consultation with Department of Transportation, shall conduct a pilot project using alternative fuel in state motor pool vehicles beginning July, 1991.

Governor's Directives

GD 11-18: Improving Government Efficiency

State Vehicles: Consolidate all vehicles not under professionally managed fleets into the Department of Enterprise Services motor pool.

GD 10-07: Refocusing the Department of Commerce

Energy Strategy: Follow the process and schedule outlined in the bill by conducting the update and revision under the Department's existing statutory authority (to) update the strategy by December 1, 2010, (and) fully revise the strategy by December 1, 2011.

GD 09-02: Shared Services

Fleet Management: The Department of Enterprise Services will assume operational responsibility for smaller motor fleets currently managed by state agencies. Consolidating fleets will eliminate under-used vehicles, improve maintenance, reduce costs to agencies, and result in a “greener” fleet that consumes less fuel and produces fewer emissions.

Chronology (legislation, executive actions & key reports)

1975-76

- Energy (ESSB 3172)

1988

- Washington Environment 2010 Advisory Committee (EO 88-09)

1989

- State Vehicle-Field Testing of Alternative Fuels Authorized (SB 5987)
- “Environment 2010: State of the Environment Report”

1990

- Washington Environment 2010 Action Agenda (EO 90-06)
- “Toward 2010: An Environmental Action Agenda”

1991

- Air Pollution Reduction (ESHB 1028)

1992

- “A Low Emission Vehicle Procurement Approach for Washington State”

1993

- “Washington’s Energy Strategy, an Invitation to Action”
- “The Clean-Fuels Program for Motor Vehicles in Washington State”
- “Compressed Natural Gas as a Vehicle Fuel: Barriers to Refueling Infrastructure Development and Policy Options”

1994

- “Clean Fuels Report to the Legislature”

1996

- State Energy Office-Elimination-Functions Transferred (4SHB 2009)

2002

- Clean Technologies-Purchasing (ESHB 2522)
- Sustainable Practices by Agencies (EO 02-03)

2003

- Biodiesel (ESHB 1242)

2004

- Establishing Sustainability and Efficiency Goals for State Operations (EO 04-06)

2005

- Establishing Sustainability and Efficiency Goals for State Operations (EO 05-01)

2006

- Energy Freedom Program (E3SHB 2939)
- Fuel Quality Standards (ESSB 6508)

2007

- Alternative Motor Fuels (SHB 1029)
- Cleaner Energy (E2SHB 1303)
- Washington Climate Change Challenge (EO 07-02)

2008

- Fuel Purchasing-State and Local Agencies (SHB 2746)
- Greenhouse Gas Emissions (E2SHB 2815)
- “Leading the Way: Regional, State and Local Actions”
- “Leading the Way: Implementing Practical Solutions to the Climate Change Challenge”
- “Biofuels Economics and Policy for Washington State”

2009

- Biofuel-Definition (SHB 1010)
- Electric Vehicles (2SHB 1481)
- Energy Freedom Program-Expansion-Funding (ESHB 2289)
- State Agencies-Emission Reduction (E2SSB 5560)
- Washington’s Leadership on Climate Change (EO 09-05)
- Shared Services (GD 09-02)
- “WSDOT Alternative Fuels Corridor Economic Feasibility Analysis”

2010

- State Agency Fleets-Fuel Economy Requirements (SHB 2105)
- Department of Commerce Mission (E2SHB 2658)
- Greenhouse Gas Emissions-Reporting (SSB 6373)

- Refocusing the Department of Commerce (GD 10-07)
- “State Energy Strategy Update”
- “Path to a Low-Carbon Economy”
- “Reducing Greenhouse Gas Emissions in Washington State Government”
- “Electric Vehicle Infrastructure: A Guide for Local Governments in Washington State”
- “WSDOT 2010 Sustainable Transportation Report”

2011

- Local Governments-Fiscal Relief-Delay of Requirements (ESHB 1478)
- Department of Enterprise Services (ESSB 5931)
- Improving Government Efficiency (GD 11-18)
- “State Energy Strategy Revision”
- “Plug-In Electric Vehicle Readiness Plan for Washington State”

2012

- Supplemental Transportation Budget (ESHB 2190)
- State Procurement of Goods and Services (2SHB 2452)
- Local Governments-Fuel Usage (ESHB 2545)
- “Biennial Energy Report”

2013

- Fuel Tax Administration (SHB 1883)
- Transportation Budget (ESSB 5024)
- State Agencies and Local Governments-Fuel Usage (ESB 5099)
- Practicable Use of Electricity and Biofuels to Fuel State Vehicles, Vessels, and Construction Equipment (WAC 194-28)
- “Energy Freedom Status Report”
- “Maximizing Washington’s Investments in Electric Transportation”

2014

- Washington Carbon Pollution Reduction and Clean Energy Action (EO 14-04)
- “Electric Vehicles for Washington’s Public Fleets & Facilities”

2015

- Transportation Budget (E2SHB 1299)
- “Washington State Electric Vehicle Action Plan”
- “Business Models for Financially Sustainable EV Charging Networks”
- “Washington State Electric Fleets Initiative”

2016

- State Agency Reports-Reduction (EHB 2883)

2018

- State Efficiency & Environmental Performance (EO 18-01)
- Port District Emission Reduction Authority (SB 6207)

2019

- Electrification of Transportation (SHB 1512)
- Transportation Budget (ESHB 1160)
- Renewable Hydrogen (SSB 5588)

2020

- Zero Emission Vehicles (SB 5811)
- Greenhouse Gas Emission Limits-Amendment (E2SHB 2311)
- Passenger-only Ferry Service-Cities (HB 2641)

2021

- Clean Fuels Program (E3SHB 1091)