

State Transportation Governance

Information contact: Fleet & Parking Services or Risk Management

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Policy

[Enterprise-Wide Transportation Policy](#) (BR.01.01)

Related Standards

Standard 1: [Transportation Policy & Procedure Content for State Agencies](#) (BR.01.01.S1)

Standard 2: [State Driver Standards](#) (BR.01.01.S2)

Standard 3: [Safety Program](#) (BR.01.01.S3)

Related Procedures

Procedure 1: [Permanently Assigned Motor Vehicles Procedure](#) (BR.01.01.P1)

Procedure 2: [Collision/Accident Reporting Procedure](#) (BR.01.01.P2)

Procedure 3: [Van Management Procedure](#) (BR.01.01.P3)

Procedure 4: [Purchase, Rent, or Dispose of a Motor Vehicle Procedure](#) (BR.01.01.P4)

Related Forms

[Authorized Driver Acknowledgement Statement](#) (BR.01.01.F1)

[Vans – Safe Driving Practices Acknowledgement Statement](#) (BR.01.01.F2)

[New and Used Passenger Vehicle Purchase Request](#) (BR.01.01.F3)

[Supervisor’s Risk Management and Safety Checklist for Drivers](#) (BR.01.01.F4)

[Valid License to Drive and Driving Experience Statement](#) (BR.01.01.F5)

[SF 137 – State of Washington Vehicle Accident Report](#) (web form, old SF 137)

[Fleet Operations User Quick Reference Guide](#) (BR.01.01.F6)

[Proof of Liability Insurance Washington State Agency Vehicle Continual Coverage](#)

[Fleet Operations Operator’s Manual](#) (BR.01.01.F8)

[Standard Tort Claim Form Packet](#)

[Fleet Operation’s Reimbursement Request Form](#) (BR.01.01.F9)

Additional Information

Appendix 1: [Understanding Insurance Coverage](#) (BR.01.01.A1)

About this list: Listed below are some, but not all, applicable governing requirements. **Note:** Laws and rules may change over time and such changes may take precedence over this policy and associated standards, procedures, forms, and appendices.

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RCW 43.01.250 Electric vehicles—State purchase of power at state office locations—Report.

(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.

[[2015 c 225 § 59](#); [2007 c 348 § 206](#).]

NOTES:

Findings—2007 c 348: See RCW [43.325.005](#).

RCW 43.19.560 Motor vehicle transportation service—Definitions.

As used in RCW [43.19.565](#) through [43.19.635](#), * [43.41.130](#) and * [43.41.140](#), the following definitions shall apply:

(1) "Passenger motor vehicle" means any sedan, station wagon, bus, or light truck which is designed for carrying ten passengers or less and is used primarily for the transportation of persons;

(2) "State agency" shall include any state office, agency, commission, department, or institution financed in whole or in part from funds appropriated by the legislature. It shall also include the Washington state school directors' association, but it shall not include (a) the state supreme court or any agency of the judicial branch or (b) the legislature or any of its statutory, standing, special, or interim committees, other than at the option of the judicial or legislative agency or committee concerned;

(3) "Employee commuting" shall mean travel by a state officer or employee to or from his or her official residence or other domicile to or from his or her official duty station or other place of work;

(4) "Motor vehicle transportation services" shall include but not be limited to the furnishing of motor vehicles for the transportation of persons or property, with or without drivers, and may also include furnishing of maintenance, storage, and other support services to state agencies for the conduct of official state business.

[[2011 1st sp.s. c 43 § 230](#); [1983 c 187 § 3](#); [1975 1st ex.s. c 167 § 2](#).]

NOTES:

***Reviser's note:** RCW [43.41.130](#) and [43.41.140](#) were recodified as RCW [43.19.622](#) and [43.19.623](#), respectively, pursuant to [2015 3rd sp.s. c 1 § 325](#).

Effective date—Purpose—2011 1st sp.s. c 43: See notes following RCW [43.19.003](#).

Effective date—1983 c 187: See RCW [28A.345.902](#).

Severability—1975 1st ex.s. c 167: "If any provision of this 1975 amendatory act, or its application to any person or circumstance is held invalid, the remainder of this 1975 amendatory act, or the application of the provision to other persons or circumstances is not affected." [[1975 1st ex.s. c 167 § 20](#).]

Power to appoint or employ personnel does not include power to provide state owned or leased vehicle: RCW [43.01.150](#).

RCW 43.19.565 Motor vehicle transportation service—Powers and duties—Agency exemptions.

The department shall establish a motor vehicle transportation service which is hereby empowered to:

(1) Provide suitable motor vehicle transportation services to state agencies on either a temporary or permanent basis and upon such demonstration of need as the department may require;

(2) Provide motor pools for the use of state agencies located in the Olympia area and such additional motor pools at other locations in the state as may be necessary to provide economic, efficient, and effective motor vehicle transportation services to state agencies. Such additional motor pools may be under either the direct control of the department or under the supervision of another state agency by agreement with the department;

(3) Establish an equitable schedule of rental and mileage charges to agencies for motor vehicle transportation services furnished which shall be designed to provide funds to recover the actual total

costs of motor pool operations including but not limited to vehicle operation expense, depreciation expense, overhead, and nonrecoverable collision or other damage to vehicles; and

(4) Establish guidelines, procedures, and standards for fleet operations that other state agencies and institutions of higher education may adopt. The guidelines, procedures, and standards shall be consistent with and carry out the objectives of any general policies adopted by the office of financial management under [*RCW 43.41.130](#).

Unless otherwise determined by the director after consultation with the office of financial management, vehicles owned and managed by the department of transportation, the department of natural resources, and the Washington state patrol are exempt from the requirements of subsections (1), (2), and (4) of this section.

[[2011 1st sp.s. c 43 § 231](#); [2005 c 214 § 1](#); [1998 c 111 § 3](#); [1975 1st ex.s. c 167 § 3](#).]

NOTES:

***Reviser's note:** RCW [43.41.130](#) was recodified as RCW [43.19.622](#) pursuant to [2015 3rd sp.s. c 1 § 325](#).

Effective date—Purpose—2011 1st sp.s. c 43: See notes following RCW [43.19.003](#).

Severability—1975 1st ex.s. c 167: See note following RCW [43.19.560](#).

[RCW 43.19.570 Motor vehicle transportation service—Responsibilities—Agreements with other agencies—Alternative Fuels and clean technologies.](#)

(1) The department shall direct and be responsible for the acquisition, operation, maintenance, storage, repair, and replacement of state motor vehicles under its control. The department shall utilize state facilities available for the maintenance, repair, and storage of such motor vehicles, and may provide directly or by contract for the maintenance, repair, and servicing of all motor vehicles, and other property related thereto and under its control.

(2) The department may arrange, by agreement with agencies, for the utilization by one of the storage, repair, or maintenance facilities of another, with such provision for charges and credits as may be agreed upon. The department may acquire and maintain storage, repair, and maintenance facilities for the motor vehicles under its control from such funds as may be appropriated by the legislature.

(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 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.

[[2002 c 285 § 2](#); [1989 c 113 § 1](#); [1982 c 163 § 11](#); [1975 1st ex.s. c 167 § 4](#).]

NOTES:

Severability—Effective date—1982 c 163: See notes following RCW [2.10.052](#).

Severability—1975 1st ex.s. c 167: See note following RCW [43.19.560](#).

[RCW 43.19.585 Motor vehicle transportation service—Powers and duties.](#)

The director or the director's designee shall have general charge and supervision of state motor pools and motor vehicle transportation services under departmental administration and control.

The director or the director's designee shall (1) acquire by purchase or otherwise a sufficient number of motor vehicles to fulfill state agency needs for motor vehicle transportation service, (2) provide for necessary upkeep and repair, and (3) provide for servicing motor pool vehicles with fuel, lubricants, and other operating requirements.

[[2011 1st sp.s. c 43 § 232](#); [1975 1st ex.s. c 167 § 7](#).]

NOTES:

Effective date—Purpose—2011 1st sp.s. c 43: See notes following RCW [43.19.003](#).

Severability—1975 1st ex.s. c 167: See note following RCW [43.19.560](#).

[RCW 43.19.600 Motor vehicle transportation service—Transfer of passenger motor vehicles to department from other agencies—Studies—Agency exemptions.](#)

(1) Any passenger motor vehicles currently owned or hereafter acquired by any state agency shall be purchased by or transferred to the department. The director may accept vehicles subject to the provisions of RCW [43.19.560](#) through [43.19.630](#), * [43.41.130](#) and * [43.41.140](#) prior to July 1, 1975, if he or she deems it expedient to accomplish an orderly transition.

(2) The department, in cooperation with the office of financial management, shall study and ascertain current and prospective needs of state agencies for passenger motor vehicles and shall direct the transfer to a state motor pool or other appropriate disposition of any vehicle found not to be required by a state agency.

(3) The department shall direct the transfer of passenger motor vehicles from a state agency to a state motor pool or other disposition as appropriate, based on a study under subsection (2) of this section, if a finding is made based on data therein submitted that the economy, efficiency, or effectiveness of state government would be improved by such a transfer or other disposition of passenger motor vehicles. Any dispute over the accuracy of data submitted as to the benefits in state governmental economy, efficiency, and effectiveness to be gained by such transfer shall be resolved by the director and the director of financial management. Unless otherwise determined by the director after consultation with the office of financial management, vehicles owned and managed by the department of transportation, the department of natural resources, and the Washington state patrol are exempt from the requirements of subsections (1) through (3) of this section.

[[2011 1st sp.s. c 43 § 233](#); [2009 c 549 § 5068](#); [1982 c 163 § 12](#); [1979 c 151 § 102](#); [1975 1st ex.s. c 167 § 10](#).]

NOTES:

***Reviser's note:** RCW [43.41.130](#) and [43.41.140](#) were recodified as RCW [43.19.622](#) and [43.19.623](#), respectively, pursuant to [2015 3rd sp.s. c 1 § 325](#).

Effective date—Purpose—2011 1st sp.s. c 43: See notes following RCW [43.19.003](#).

Severability—Effective date—1982 c 163: See notes following RCW [2.10.052](#).

Severability—1975 1st ex.s. c 167: See note following RCW [43.19.560](#).

[RCW 43.19.610 Enterprise services account—Sources—Disbursements.](#)

All moneys, funds, proceeds, and receipts as provided by law shall be paid into the enterprise services account. Disbursements therefrom shall be made in accordance with the provisions of RCW [43.19.560](#) through [43.19.630](#), * [43.41.130](#) and * [43.41.140](#) as authorized by the director or a duly authorized representative and as may be provided by law.

[[2011 1st sp.s. c 43 § 234](#); [1998 c 105 § 12](#); [1991 sp.s. c 13 § 35](#); [1986 c 312 § 902](#). Prior: [1985 c 405 § 507](#); [1985 c 57 § 28](#); [1975 1st ex.s. c 167 § 12](#).]

NOTES:

***Reviser's note:** RCW [43.41.130](#) and [43.41.140](#) were recodified as RCW [43.19.622](#) and [43.19.623](#), respectively, pursuant to [2015 3rd sp.s. c 1 § 325](#).

Effective date—Purpose—2011 1st sp.s. c 43: See notes following RCW [43.19.003](#).

Effective date—1998 c 105: See note following RCW [43.19.025](#).

Effective dates—Severability—1991 sp.s. c 13: See notes following RCW [18.08.240](#).

Severability—1986 c 312: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [[1986 c 312 § 905](#).]

Severability—1985 c 405: See note following RCW [9.46.100](#).

Effective date—1985 c 57: See note following RCW [18.04.105](#).

Severability—1975 1st ex.s. c 167: See note following RCW [43.19.560](#).

RCW 43.19.620 Motor vehicle transportation service—Rules and regulations.

The director shall adopt and enforce rules as may be deemed necessary to accomplish the purpose of RCW [43.19.560](#) through [43.19.630](#), * [43.41.130](#), and * [43.41.140](#). The rules, in addition to other matters, shall provide authority for any agency director or his or her delegate to approve the use on official state business of personally owned or commercially owned rental passenger motor vehicles. Before such an authorization is made, it must first be reasonably determined that state owned passenger vehicles or other suitable transportation is not available at the time or location required or that the use of such other transportation would not be conducive to the economical, efficient, and effective conduct of business.

The rules shall be consistent with and shall carry out the objectives of the general policies and guidelines adopted by the office of financial management pursuant to *RCW [43.41.130](#).

[[2011 1st sp.s. c 43 § 235](#); [2009 c 549 § 5069](#); [1989 c 57 § 7](#); [1979 c 151 § 103](#); [1975 1st ex.s. c 167 § 14](#).]

NOTES:

***Reviser's note:** RCW [43.41.130](#) and [43.41.140](#) were recodified as RCW [43.19.622](#) and [43.19.623](#), respectively, pursuant to [2015 3rd sp.s. c 1 § 325](#).

Effective date—Purpose—2011 1st sp.s. c 43: See notes following RCW [43.19.003](#).

Effective date—1989 c 57: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect July 1, 1989." [[1989 c 57 § 11](#).]

Severability—1975 1st ex.s. c 167: See note following RCW [43.19.560](#).

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.

(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 general administration, in consultation with the office 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 thirty-six 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 [sport] 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 general administration, in consultation with the office 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 eight thousand five hundred pounds or greater, vehicles that are purchased for off-pavement use, ultra-low carbon fuel vehicles, and vehicles that are driven less than two thousand 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 ten percent gasoline or diesel fuel.

(b) "Ultra-low carbon fuel vehicle" means a vehicle that uses, as a fuel source, at least ninety percent natural gas, hydrogen, biomethane, or electricity.

[[2010 c 159 § 1](#); [2009 c 519 § 6](#); [1982 c 163 § 13](#); [1980 c 169 § 1](#); [1979 c 111 § 12](#); [1975 1st ex.s. c 167 § 5](#). Formerly RCW [43.41.130](#).]

NOTES:

***Reviser's note:** The "department of general administration" was renamed the "department of enterprise services" by [2011 1st sp.s. c 43 § 107](#).

Findings—2009 c 519: See RCW [43.21M.900](#).

Severability—Effective date—1982 c 163: See notes following RCW [2.10.052](#).

Severability—1979 c 111: See note following RCW [46.74.010](#).

Severability—1975 1st ex.s. c 167: See note following RCW [43.19.560](#).

Commuter ride sharing: Chapter [46.74](#) RCW.

Motor vehicle management and transportation: RCW [43.19.500](#) through [43.19.635](#).

RCW 43.19.623 Employee commuting in state-owned or leased vehicle—Policies and regulations.

Pursuant to policies and regulations promulgated by the office of financial management, an elected state officer or delegate or a state agency director or delegate may permit an employee to commute in a state-owned or leased vehicle if such travel is on official business, as determined in accordance with *RCW [43.41.130](#), and is determined to be economical and advantageous to the state, or as part of a commute trip reduction program as required by RCW [70.94.551](#).

[[1993 c 394 § 3](#); [1979 c 151 § 119](#); [1975 1st ex.s. c 167 § 15](#). Formerly RCW [43.41.140](#).]

NOTES:

***Reviser's note:** RCW [43.41.130](#) was recodified as RCW [43.19.622](#) pursuant to [2015 3rd sp.s. c 1 § 325](#).

Finding—Purpose—1993 c 394: See note following RCW [43.01.220](#).

Severability—1975 1st ex.s. c 167: See note following RCW [43.19.560](#).

RCW 43.19.630 Motor vehicle transportation service—Use of personal motor vehicle.

RCW [43.19.560](#) through [43.19.620](#), * [43.41.130](#), and * [43.41.140](#) shall not be construed to prohibit a state officer or employee from using his or her personal motor vehicle on state business and being reimbursed therefor, where permitted under state travel policies, rules, and regulations promulgated by the office of financial management, and where such use is in the interest of economic, efficient, and effective management and performance of official state business.

[[2009 c 549 § 5070](#); [1989 c 57 § 8](#); [1979 c 151 § 104](#); [1975 1st ex.s. c 167 § 16](#).]

NOTES:

***Reviser's note:** RCW [43.41.130](#) and [43.41.140](#) were recodified as RCW [43.19.622](#) and [43.19.623](#), respectively, pursuant to [2015 3rd sp.s. c 1 § 325](#).

Effective date—1989 c 57: See note following RCW [43.19.620](#).

Severability—1975 1st ex.s. c 167: See note following RCW [43.19.560](#).

RCW 43.19.635 Motor vehicle transportation service—Unauthorized use of state vehicles—Procedure—Disciplinary action.

(1) The governor, acting through the department and any other appropriate agency or agencies as he or she may direct, is empowered to utilize all reasonable means for detecting the unauthorized use of state owned motor vehicles, including the execution of agreements with the state patrol for compliance enforcement. Whenever such illegal use is discovered which involves a state employee, the employing agency shall proceed as provided by law to establish the amount, extent, and dollar value of any such use, including an opportunity for notice and hearing for the employee involved. When such illegal use is so established, the agency shall assess its full cost of any mileage illegally used and shall recover such amounts by deductions from salary or allowances due to be paid to the offending official or employee by other means. Recovery of costs by the state under this subsection shall not preclude disciplinary or other action by the appropriate appointing authority or employing agency under subsection (2) of this section.

(2) Any willful and knowing violation of any provision of RCW [43.19.560](#) through [43.19.620](#), * [43.41.130](#) and * [43.41.140](#) shall subject the state official or employee committing such violation to disciplinary action by the appropriate appointing or employing agency. Such disciplinary action may include, but shall not be limited to, suspension without pay, or termination of employment in the case of repeated violations.

(3) Any casual or inadvertent violation of RCW [43.19.560](#) through [43.19.620](#), * [43.41.130](#) and * [43.41.140](#) may subject the state official or employee committing such violation to disciplinary action by

the appropriate appointing authority or employing agency. Such disciplinary action may include, but need not be limited to, suspension without pay.

[[2011 1st sp.s. c 43 § 236](#); [2009 c 549 § 5071](#); [1975 1st ex.s. c 167 § 17](#).]

NOTES:

***Reviser's note:** RCW [43.41.130](#) and [43.41.140](#) were recodified as RCW [43.19.622](#) and [43.19.623](#), respectively, pursuant to [2015 3rd sp.s. c 1 § 325](#).

Effective date—Purpose—2011 1st sp.s. c 43: See notes following RCW [43.19.003](#).

Severability—1975 1st ex.s. c 167: See note following RCW [43.19.560](#).

[RCW 43.19.637 Clean-fuel vehicles—Purchasing requirements.](#)

*** CHANGE IN 2021 *** (SEE [1192.SL](#)) ***

(1) At least thirty percent 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 five percent 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 eight thousand five hundred pounds;

(iii) Heavy duty trucks, trucks with a gross vehicle weight rating by the vehicle manufacturer of eight thousand five hundred 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 percent 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 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 [70.120.210](#).

[[2002 c 285 § 3](#); [1991 c 199 § 213](#).]

NOTES:

***Reviser's note:** RCW [70.120.210](#) was recodified as RCW [70A.25.120](#) pursuant to [2020 c 20 § 2039](#).

Finding—1991 c 199: See note following RCW [70A.15.1005](#).

RCW 43.19.642 Biodiesel fuel blends—Use by agencies—Annual report.

*** CHANGE IN 2021 *** (SEE [5165-S.SL](#)) ***

(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 two percent.

(2) Except as provided in subsection (5) of this section, effective June 1, 2009, state agencies are required to use a minimum of twenty percent 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 2017-2019 and 2019-2021 fiscal biennia, the Washington state ferries is required to use a minimum of five percent 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 five percent or more.

[[2019 c 416 § 703](#); [2017 c 313 § 703](#); [2016 c 197 § 2](#); [2015 1st sp.s. c 10 § 701](#); [2013 c 306 § 701](#); [2012 c 86 § 802](#); [2010 c 247 § 701](#); [2009 c 470 § 716](#); [2007 c 348 § 201](#); [2006 c 338 § 10](#); [2003 c 17 § 2](#).]

NOTES:

Effective date—2019 c 416: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [May 21, 2019]." [[2019 c 416 § 1202](#).]

Effective date—2017 c 313: "Except for sections 705 and 706 of this act, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [May 16, 2017]." [[2017 c 313 § 1302](#).]

Effective date—2015 1st sp.s. c 10: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [June 11, 2015]." [[2015 1st sp.s. c 10 § 1302](#).]

Effective date—2013 c 306: See note following RCW [47.64.170](#).

Effective date—2012 c 86: See note following RCW [47.76.360](#).

Effective date—2010 c 247: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [March 30, 2010]." [[2010 c 247 § 802](#).]

Effective date—2009 c 470: See note following RCW [46.68.170](#).

Findings—2007 c 348: See RCW [43.325.005](#).

Findings—Intent—2006 c 338: See note following RCW [19.112.110](#).

Effective date—2006 c 338: See RCW [19.112.903](#).

Findings—2003 c 17: "The legislature recognizes that:

- (1) Biodiesel is less polluting than petroleum diesel;
- (2) Using biodiesel in neat form or blended with petroleum diesel significantly reduces air toxics and cancer-causing compounds as well as the soot associated with petroleum diesel exhaust;
- (3) Biodiesel degrades much faster than petroleum diesel;
- (4) Biodiesel is less toxic than petroleum fuels;
- (5) The United States environmental protection agency's new emission standards for petroleum diesel that take effect June 1, 2006, will require the addition of a lubricant to ultra-low sulfur diesel to counteract premature wear of injection pumps;
- (6) Biodiesel provides the needed lubricity to ultra-low sulfur diesel;
- (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." [[2003 c 17 § 1](#).]

RCW 43.19.643 Biodiesel fuel blends—Definitions.

The definitions in this section apply throughout RCW [43.19.642](#) unless the 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 thirty parts per million.

[[2003 c 17 § 3](#).]

NOTES:

Findings—2003 c 17: See note following RCW [43.19.642](#).

RCW 43.19.646 Coordinating the purchase and delivery of biodiesel—Reports.

(1) The department 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](#).

[[2011 1st sp.s. c 43 § 237](#); [2006 c 338 § 12](#).]

NOTES:

Effective date—Purpose—2011 1st sp.s. c 43: See notes following RCW [43.19.003](#).

Findings—Intent—2006 c 338: See note following RCW [19.112.110](#).

Effective date—2006 c 338: See RCW [19.112.903](#).

RCW 43.19.647 Purchase of biofuels and biofuel blends—Contracting authority.

(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 of enterprise services 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.

[[2015 c 225 § 65](#); [2007 c 348 § 203](#).]

NOTES:

***Reviser's note:** RCW [43.325.010](#) expired June 30, 2016.

Findings—2007 c 348: See RCW [43.325.005](#).

RCW 43.19.648 Publicly owned vehicles, vessels, and construction equipment—Fuel usage—Advisory committee—Tires.

(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 one

hundred percent 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 of commerce 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 one hundred percent 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 one hundred percent biodiesel, as long as the costs are reasonably equal to a vessel, vehicle, or construction equipment that is not warranted to use up to one hundred percent biodiesel.

(3) In order to phase in this transition for the state, all state agencies, to the extent determined practicable by the department of commerce by rules adopted pursuant to RCW [43.325.080](#), are required to achieve forty percent 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 of commerce 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](#).

[[2013 c 328 § 1](#); [2012 c 171 § 1](#); [2011 c 353 § 4](#); [2009 c 459 § 7](#); [2007 c 348 § 202](#).]

NOTES:

Intent—2011 c 353: See note following RCW [36.70A.130](#).

Finding—Purpose—2009 c 459: See note following RCW [47.80.090](#).

Findings—2007 c 348: See RCW [43.325.005](#).

Regional transportation planning organizations—Electric vehicle infrastructure: RCW [47.80.090](#).