
SENATE BILL 5716

State of Washington

65th Legislature

2017 Regular Session

By Senator Chase

1 AN ACT Relating to electric vehicle charging infrastructure;
2 amending RCW 35.63.126, 35.63.127, 35A.63.107, 36.70.695, and
3 36.70A.695; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that the development
6 of electric vehicle infrastructure is a critical step in creating
7 jobs, fostering economic growth, reducing greenhouse gas emissions,
8 and spurring electric vehicle usage across the state. Limited driving
9 distance is a disadvantage and obstacle to broad consumer adoption of
10 vehicles powered by electricity. To eliminate this obstacle, it is
11 essential that an infrastructure of convenient electric vehicle
12 charging opportunities be developed. It is the intent of the
13 legislature with this act to encourage the transition to electric
14 vehicle use and to expedite the establishment of a convenient, cost-
15 effective electric vehicle infrastructure that such a transition
16 necessitates.

17 **Sec. 2.** RCW 35.63.126 and 2009 c 459 s 9 are each amended to
18 read as follows:

19 (1) (~~By July 1, 2010, the development regulations of any~~
20 ~~jurisdiction:~~

1 ~~(a) Adjacent to Interstate 5, Interstate 90, Interstate 405, or~~
2 ~~state route number 520, with a population over twenty thousand, and~~
3 ~~located in a county with a population over one million five hundred~~
4 ~~thousand; or~~

5 ~~(b) Adjacent to Interstate 5 and located in a county with a~~
6 ~~population greater than six hundred thousand; or~~

7 ~~(c) Adjacent to Interstate 5 and located in a county with a state~~
8 ~~capitol within its borders;~~

9 ~~planning under this chapter must allow electric vehicle~~
10 ~~infrastructure as a use in all areas except those zoned for~~
11 ~~residential or resource use or critical areas. A jurisdiction may~~
12 ~~adopt and apply other development regulations that do not have the~~
13 ~~effect of precluding the siting of electric vehicle infrastructure in~~
14 ~~areas where that use is allowed.~~

15 ~~(2) By July 1, 2011, or six months after the distribution~~
16 ~~required under RCW 43.31.970 occurs, whichever is later,))~~ The
17 development regulations of any jurisdiction ((adjacent to Interstate
18 5, Interstate 90, Interstate 405, or state route number 520))
19 planning under this chapter must allow electric vehicle
20 infrastructure as a use in all areas, including areas zoned for
21 multifamily residences, except those areas zoned for ((residential
22 or)) resource use or critical areas. A jurisdiction may adopt and
23 apply other development regulations that do not have the effect of
24 precluding the siting of electric vehicle infrastructure in areas
25 where that use is allowed.

26 ~~((3) By July 1, 2011, or six months after the distribution~~
27 ~~required under RCW 43.31.970 occurs, whichever is later,))~~ (2) The
28 development regulations of any jurisdiction planning under this
29 chapter must allow battery charging stations as a use in all areas,
30 including areas zoned for multifamily residences, except those areas
31 zoned for ((residential or)) resource use or critical areas. A
32 jurisdiction may adopt and apply other development regulations that
33 do not have the effect of precluding the siting of electric vehicle
34 infrastructure in areas where that use is allowed.

35 ~~((4))~~ (3) Cities ((are authorized to)) must adopt incentive
36 programs to encourage the fitting of new structures and the
37 retrofitting of existing structures with the rapid charging station
38 electrical outlets capable of charging electric vehicles. Incentives
39 may include bonus height, site coverage, floor area ratio, and
40 transferable development rights for use in urban growth areas.

1 ~~((5))~~ (4) The definitions in this subsection apply throughout
2 this section unless the context clearly requires otherwise.

3 (a) "Battery charging station" means an electrical component
4 assembly or cluster of component assemblies designed specifically to
5 charge batteries within electric vehicles, which meet or exceed any
6 standards, codes, and regulations set forth by chapter 19.28 RCW and
7 consistent with rules adopted under RCW 19.27.540.

8 (b) "Battery exchange station" means a fully automated facility
9 that will enable an electric vehicle with a swappable battery to
10 enter a drive lane and exchange the depleted battery with a fully
11 charged battery through a fully automated process, which meets or
12 exceeds any standards, codes, and regulations set forth by chapter
13 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

14 (c) "Electric vehicle infrastructure" means structures,
15 machinery, and equipment necessary and integral to support an
16 electric vehicle, including battery charging stations, rapid charging
17 stations, and battery exchange stations.

18 (d) "Rapid charging station" means an industrial grade electrical
19 outlet that allows for faster recharging of electric vehicle
20 batteries through higher power levels, which meets or exceeds any
21 standards, codes, and regulations set forth by chapter 19.28 RCW and
22 consistent with rules adopted under RCW 19.27.540.

23 ~~((6) If federal funding for public investment in electric
24 vehicles, electric vehicle infrastructure, or alternative fuel
25 distribution infrastructure is not provided by February 1, 2010,
26 subsection (1) of this section is null and void.))~~

27 **Sec. 3.** RCW 35.63.127 and 2009 c 459 s 13 are each amended to
28 read as follows:

29 (1) ~~((By July 1, 2010, the development regulations of any
30 jurisdiction with a population over six hundred thousand or with a
31 state capitol within its borders planning under this chapter must
32 allow electric vehicle infrastructure as a use in all areas within
33 one mile of Interstate 5, Interstate 90, Interstate 405, or state
34 route number 520, except those zoned for residential or resource use
35 or critical areas. A jurisdiction may adopt and apply other
36 development regulations that do not have the effect of precluding the
37 siting of electric vehicle infrastructure in areas where that use is
38 allowed.~~

1 ~~(2) By July 1, 2011, or six months after the distribution~~
2 ~~required under RCW 43.31.970 occurs, whichever is later,))~~ The
3 development regulations of any jurisdiction (~~adjacent to Interstate~~
4 ~~5, Interstate 90, Interstate 405, or state route number 520))~~
5 planning under this chapter must allow electric vehicle
6 infrastructure as a use in all areas, including areas zoned for
7 multifamily residences, except those areas zoned for (~~residential~~
8 ~~or~~) resource use or critical areas. A jurisdiction may adopt and
9 apply other development regulations that do not have the effect of
10 precluding the siting of electric vehicle infrastructure in areas
11 where that use is allowed.

12 ~~((3) By July 1, 2011, or six months after the distribution~~
13 ~~required under RCW 43.31.970 occurs, whichever is later,))~~ (2) The
14 development regulations of any jurisdiction planning under this
15 chapter must allow battery charging stations as a use in all areas,
16 including areas zoned for multifamily residences, except those areas
17 zoned for (~~residential or~~) resource use or critical areas. A
18 jurisdiction may adopt and apply other development regulations that
19 do not have the effect of precluding the siting of electric vehicle
20 infrastructure in areas where that use is allowed.

21 ~~((4))~~ (3) Counties (~~are authorized to~~) must adopt incentive
22 programs to encourage the fitting of new structures and the
23 retrofitting of existing structures with the rapid charging station
24 electrical outlets capable of charging electric vehicles. Incentives
25 may include bonus height, site coverage, floor area ratio, and
26 transferable development rights for use in urban growth areas.

27 ~~((5))~~ (4) The definitions in this subsection apply throughout
28 this section unless the context clearly requires otherwise.

29 (a) "Battery charging station" means an electrical component
30 assembly or cluster of component assemblies designed specifically to
31 charge batteries within electric vehicles, which meet or exceed any
32 standards, codes, and regulations set forth by chapter 19.28 RCW and
33 consistent with rules adopted under RCW 19.27.540.

34 (b) "Battery exchange station" means a fully automated facility
35 that will enable an electric vehicle with a swappable battery to
36 enter a drive lane and exchange the depleted battery with a fully
37 charged battery through a fully automated process, which meets or
38 exceeds any standards, codes, and regulations set forth by chapter
39 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

1 (c) "Electric vehicle infrastructure" means structures,
2 machinery, and equipment necessary and integral to support an
3 electric vehicle, including battery charging stations, rapid charging
4 stations, and battery exchange stations.

5 (d) "Rapid charging station" means an industrial grade electrical
6 outlet that allows for faster recharging of electric vehicle
7 batteries through higher power levels, which meets or exceeds any
8 standards, codes, and regulations set forth by chapter 19.28 RCW and
9 consistent with rules adopted under RCW 19.27.540.

10 ~~((6) If federal funding for public investment in electric
11 vehicles, electric vehicle infrastructure, or alternative fuel
12 distribution infrastructure is not provided by February 1, 2010,
13 subsection (1) of this section is null and void.))~~

14 **Sec. 4.** RCW 35A.63.107 and 2009 c 459 s 10 are each amended to
15 read as follows:

16 (1) ~~((By July 1, 2010, the development regulations of any
17 jurisdiction:~~

18 ~~(a) Adjacent to Interstate 5, Interstate 90, Interstate 405, or
19 state route number 520, with a population over twenty thousand, and
20 located in a county with a population over one million five hundred
21 thousand; or~~

22 ~~(b) Adjacent to Interstate 5 and located in a county with a
23 population greater than six hundred thousand; or~~

24 ~~(c) Adjacent to Interstate 5 and located in a county with a state
25 capitol within its borders;~~

26 ~~planning under this chapter must allow electric vehicle
27 infrastructure as a use in all areas except those zoned for
28 residential or resource use or critical areas. A jurisdiction may
29 adopt and apply other development regulations that do not have the
30 effect of precluding the siting of electric vehicle infrastructure in
31 areas where that use is allowed.~~

32 ~~(2) By July 1, 2011, or six months after the distribution
33 required under RCW 43.31.970 occurs, whichever is later,))~~ The
34 development regulations of any jurisdiction ~~((adjacent to Interstate
35 5, Interstate 90, Interstate 405, or state route number 520))~~
36 planning under this chapter must allow electric vehicle
37 infrastructure as a use in all areas, including areas zoned for
38 multifamily residences, except those areas zoned for ~~((residential
39 or))~~ resource use or critical areas. A jurisdiction may adopt and

1 apply other development regulations that do not have the effect of
2 precluding the siting of electric vehicle infrastructure in areas
3 where that use is allowed.

4 ~~((3) By July 1, 2011, or six months after the distribution~~
5 ~~required under RCW 43.31.970 occurs, whichever is later,))~~ (2) The
6 development regulations of any jurisdiction planning under this
7 chapter must allow battery charging stations as a use in all areas,
8 including areas zoned for multifamily residences, except those areas
9 zoned for ~~((residential or))~~ resource use or critical areas. A
10 jurisdiction may adopt and apply other development regulations that
11 do not have the effect of precluding the siting of electric vehicle
12 infrastructure in areas where that use is allowed.

13 ~~((4))~~ (3) Cities ~~((are authorized to))~~ must adopt incentive
14 programs to encourage the fitting of new structures and the
15 retrofitting of existing structures with the rapid charging station
16 electrical outlets capable of charging electric vehicles. Incentives
17 may include bonus height, site coverage, floor area ratio, and
18 transferable development rights for use in urban growth areas.

19 ~~((5))~~ (4) The definitions in this subsection apply throughout
20 this section unless the context clearly requires otherwise.

21 (a) "Battery charging station" means an electrical component
22 assembly or cluster of component assemblies designed specifically to
23 charge batteries within electric vehicles, which meet or exceed any
24 standards, codes, and regulations set forth by chapter 19.28 RCW and
25 consistent with rules adopted under RCW 19.27.540.

26 (b) "Battery exchange station" means a fully automated facility
27 that will enable an electric vehicle with a swappable battery to
28 enter a drive lane and exchange the depleted battery with a fully
29 charged battery through a fully automated process, which meets or
30 exceeds any standards, codes, and regulations set forth by chapter
31 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

32 (c) "Electric vehicle infrastructure" means structures,
33 machinery, and equipment necessary and integral to support an
34 electric vehicle, including battery charging stations, rapid charging
35 stations, and battery exchange stations.

36 (d) "Rapid charging station" means an industrial grade electrical
37 outlet that allows for faster recharging of electric vehicle
38 batteries through higher power levels, which meets or exceeds any
39 standards, codes, and regulations set forth by chapter 19.28 RCW and
40 consistent with rules adopted under RCW 19.27.540.

1 ~~((6) If federal funding for public investment in electric~~
2 ~~vehicles, electric vehicle infrastructure, or alternative fuel~~
3 ~~distribution infrastructure is not provided by February 1, 2010,~~
4 ~~subsection (1) of this section is null and void.))~~

5 **Sec. 5.** RCW 36.70.695 and 2009 c 459 s 11 are each amended to
6 read as follows:

7 (1) ~~((By July 1, 2010, the development regulations of any~~
8 ~~jurisdiction with a population over six hundred thousand or with a~~
9 ~~state capitol within its borders planning under this chapter must~~
10 ~~allow electric vehicle infrastructure as a use in all areas within~~
11 ~~one mile of Interstate 5, Interstate 90, Interstate 405, or state~~
12 ~~route number 520, except those zoned for residential or resource use~~
13 ~~or critical areas. A jurisdiction may adopt and apply other~~
14 ~~development regulations that do not have the effect of precluding the~~
15 ~~siting of electric vehicle infrastructure in areas where that use is~~
16 ~~allowed.~~

17 ~~(2) By July 1, 2011, or six months after the distribution~~
18 ~~required under RCW 43.31.970 occurs, whichever is later,))~~ The
19 development regulations of any jurisdiction planning under this
20 chapter must allow electric vehicle infrastructure as a use in all
21 areas ((within one mile of Interstate 5, Interstate 90, Interstate
22 405, or state route number 520)), including areas zoned for
23 multifamily residences, except those areas zoned for ((residential
24 ~~or~~)) resource use or critical areas. A jurisdiction may adopt and
25 apply other development regulations that do not have the effect of
26 precluding the siting of electric vehicle infrastructure in areas
27 where that use is allowed.

28 ~~((3) By July 1, 2011, or six months after the distribution~~
29 ~~required under RCW 43.31.970 occurs, whichever is later,))~~ (2) The
30 development regulations of any jurisdiction planning under this
31 chapter must allow battery charging stations as a use in all areas,
32 including areas zoned for multifamily residences, except those areas
33 zoned for ((residential~~or~~)) resource use or critical areas. A
34 jurisdiction may adopt and apply other development regulations that
35 do not have the effect of precluding the siting of electric vehicle
36 infrastructure in areas where that use is allowed.

37 ~~((4))~~ (3) Counties ((are authorized to)) must adopt incentive
38 programs to encourage the fitting of new structures and the
39 retrofitting of existing structures with the rapid charging station

1 electrical outlets capable of charging electric vehicles. Incentives
2 may include bonus height, site coverage, floor area ratio, and
3 transferable development rights for use in urban growth areas.

4 ~~((5))~~ (4) The definitions in this subsection apply throughout
5 this section unless the context clearly requires otherwise.

6 (a) "Battery charging station" means an electrical component
7 assembly or cluster of component assemblies designed specifically to
8 charge batteries within electric vehicles, which meet or exceed any
9 standards, codes, and regulations set forth by chapter 19.28 RCW and
10 consistent with rules adopted under RCW 19.27.540.

11 (b) "Battery exchange station" means a fully automated facility
12 that will enable an electric vehicle with a swappable battery to
13 enter a drive lane and exchange the depleted battery with a fully
14 charged battery through a fully automated process, which meets or
15 exceeds any standards, codes, and regulations set forth by chapter
16 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

17 (c) "Electric vehicle infrastructure" means structures,
18 machinery, and equipment necessary and integral to support an
19 electric vehicle, including battery charging stations, rapid charging
20 stations, and battery exchange stations.

21 (d) "Rapid charging station" means an industrial grade electrical
22 outlet that allows for faster recharging of electric vehicle
23 batteries through higher power levels, which meets or exceeds any
24 standards, codes, and regulations set forth by chapter 19.28 RCW and
25 consistent with rules adopted under RCW 19.27.540.

26 ~~((6) If federal funding for public investment in electric
27 vehicles, electric vehicle infrastructure, or alternative fuel
28 distribution infrastructure is not provided by February 1, 2010,
29 subsection (1) of this section is null and void.))~~

30 **Sec. 6.** RCW 36.70A.695 and 2009 c 459 s 12 are each amended to
31 read as follows:

32 (1) ~~((By July 1, 2010, the development regulations of any
33 jurisdiction:~~

34 ~~(a) Adjacent to Interstate 5, Interstate 90, Interstate 405, or
35 state route number 520, with a population over twenty thousand, and
36 located in a county with a population over one million five hundred
37 thousand; or~~

38 ~~(b) Adjacent to Interstate 5 and located in a county with a
39 population greater than six hundred thousand; or~~

1 ~~(c) Adjacent to Interstate 5 and located in a county with a state~~
2 ~~capitol within its borders;~~
3 ~~planning under this chapter must allow electric vehicle~~
4 ~~infrastructure as a use in all areas except those zoned for~~
5 ~~residential or resource use or critical areas. A jurisdiction may~~
6 ~~adopt and apply other development regulations that do not have the~~
7 ~~effect of precluding the siting of electric vehicle infrastructure in~~
8 ~~areas where that use is allowed.~~

9 ~~(2) By July 1, 2011, or six months after the distribution~~
10 ~~required under RCW 43.31.970 occurs, whichever is later,))~~ The
11 development regulations of any jurisdiction ((adjacent to Interstate
12 5, Interstate 90, Interstate 405, or state route number 520))
13 planning under this chapter must allow electric vehicle
14 infrastructure as a use in all areas, including areas zoned for
15 multifamily residences, except those areas zoned for ((residential
16 ~~or~~)) resource use or critical areas. A jurisdiction may adopt and
17 apply other development regulations that do not have the effect of
18 precluding the siting of electric vehicle infrastructure in areas
19 where that use is allowed.

20 ~~((3) By July 1, 2011, or six months after the distribution~~
21 ~~required under RCW 43.31.970 occurs, whichever is later,))~~ (2) The
22 development regulations of any jurisdiction planning under this
23 chapter must allow battery charging stations as a use in all areas,
24 including areas zoned for multifamily residences, except those areas
25 zoned for ((residential or)) resource use or critical areas. A
26 jurisdiction may adopt and apply other development regulations that
27 do not have the effect of precluding the siting of electric vehicle
28 infrastructure in areas where that use is allowed.

29 ~~((4))~~ (3) Cities ((are authorized to)) must adopt incentive
30 programs to encourage the fitting of new structures and the
31 retrofitting of existing structures with the rapid charging station
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33 may include bonus height, site coverage, floor area ratio, and
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3 (b) "Battery exchange station" means a fully automated facility
4 that will enable an electric vehicle with a swappable battery to
5 enter a drive lane and exchange the depleted battery with a fully
6 charged battery through a fully automated process, which meets or
7 exceeds any standards, codes, and regulations set forth by chapter
8 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

9 (c) "Electric vehicle infrastructure" means structures,
10 machinery, and equipment necessary and integral to support an
11 electric vehicle, including battery charging stations, rapid charging
12 stations, and battery exchange stations.

13 (d) "Rapid charging station" means an industrial grade electrical
14 outlet that allows for faster recharging of electric vehicle
15 batteries through higher power levels, which meets or exceeds any
16 standards, codes, and regulations set forth by chapter 19.28 RCW and
17 consistent with rules adopted under RCW 19.27.540.

18 ~~((6) If federal funding for public investment in electric
19 vehicles, electric vehicle infrastructure, or alternative fuel
20 distribution infrastructure is not provided by February 1, 2010,
21 subsection (1) of this section is null and void.))~~

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