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**SUBSTITUTE SENATE BILL 6304**

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**State of Washington**

**68th Legislature**

**2024 Regular Session**

**By** Senate Transportation (originally sponsored by Senators Lias, Nguyen, and Kuderer)

1 AN ACT Relating to implementing certain recommendations of the  
2 transportation electrification strategy; amending RCW 43.31.970,  
3 47.01.520, 35.92.450, 54.16.430, 80.28.360, and 46.37.423; reenacting  
4 and amending RCW 43.84.092, 43.84.092, and 43.84.092; adding a new  
5 section to chapter 46.37 RCW; adding a new section to chapter 70A.350  
6 RCW; adding a new section to chapter 28A.160 RCW; adding a new  
7 section to chapter 43.01 RCW; adding a new chapter to Title 19 RCW;  
8 adding a new chapter to Title 70A RCW; creating a new section;  
9 prescribing penalties; providing effective dates; and providing  
10 expiration dates.

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

12 **PART I**  
13 **ELECTRIC VEHICLE SUPPLY EQUIPMENT INSTALLATION, INFORMATION, AND**  
14 **RELIABILITY**

15 **Sec. 101.** RCW 43.31.970 and 2023 c 470 s 2046 are each amended  
16 to read as follows:

17 The department of commerce must ((distribute)):  
18 (1) Coordinate with the interagency electric vehicle coordinating  
19 council, state and local agencies, climate and environmental justice  
20 organizations, consumer and ratepayer advocates, industry

1 representatives, labor representatives, consumer-owned electric  
2 utilities, investor-owned electric utilities, and building owners and  
3 operators to implement this section;

4 (2) Develop recommended legislative language, delivered to the  
5 legislature, on:

6 (a) Maximum timelines for electric vehicle supply equipment  
7 project permitting and interconnection;

8 (b) Necessary reporting requirements for electric utilities on  
9 transportation electrification efforts;

10 (c) Requirements for consumer information on electric vehicle  
11 supply equipment;

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

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

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

19 (3) Develop a comprehensive and publicly available inventory of  
20 all electric vehicle supply equipment in Washington by December 31,  
21 2025.

22 (a) The department must develop reporting requirements for  
23 electric vehicle supply equipment providers, owners, and operators or  
24 any other entities necessary to develop the inventory in this  
25 subsection.

26 (b) For publicly available or shared use electric vehicle supply  
27 equipment, the department must require entities to report reliability  
28 data as determined by the department.

29 (c) The department must adopt rules to determine necessary  
30 information and a reporting process for collecting data for the  
31 inventory;

32 (4) Distribute to local governments model ordinances, model  
33 development regulations, and guidance for local governments for  
34 siting and installing electric vehicle infrastructure (~~(, and in~~  
35 particular ~~battery charging stations, and appropriate handling,~~  
36 recycling, and storage of electric vehicle batteries and equipment,  
37 when available)) by December 31, 2025, and every five years  
38 thereafter. The model ordinances, model development regulations, and  
39 guidance must be developed by a federal or state agency, or

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

3 **Sec. 102.** RCW 47.01.520 and 2021 c 300 s 2 are each amended to  
4 read as follows:

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

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

17 (b) The tool must:

18 (i) Initially prioritize on-road transportation;

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

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

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

29 (c) The tool must, if feasible:

30 (i) Provide the data necessary to support programs by state  
31 agencies that directly or indirectly support transportation  
32 electrification efforts;

33 (ii) Evolve over time to support future transportation  
34 electrification programs;

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

38 (iv) ~~((Forecast))~~ Use statewide zero emissions vehicle ~~((use that~~  
39 ~~would achieve the emissions reductions consistent with RCW~~

1 ~~70A.45.020~~) estimates from the transportation electrification  
2 strategy under RCW 43.392.040. The department may reference  
3 ~~((existing))~~ zero emissions vehicle use forecasts that update the  
4 transportation electrification strategy estimates, such as that  
5 established in the state energy strategy.

6 (3) The department, in consultation with the department of  
7 commerce, the department of ecology, and the office of equity, may  
8 elect to include other transportation charging and refueling  
9 infrastructure, such as maritime, public transportation, and aviation  
10 in the mapping and forecasting tool.

11 (4) The tool must include, to the extent feasible, the following  
12 elements:

13 (a) The amount, type, location, and year of installation for  
14 electric vehicle supply equipment that is expected to be necessary to  
15 support forecasted electric vehicle penetration and usage within the  
16 state;

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

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

23 (d) Boundaries of political subdivisions including, but not  
24 limited to:

25 (i) Retail electricity suppliers;

26 (ii) Public transportation agency boundaries;

27 (iii) Municipalities;

28 (iv) Counties; and

29 (v) Federally recognized tribal governments;

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

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

1 (g) The ability for all data tracked within the tool to be  
2 downloadable or usable within a separate mapping and forecasting  
3 tool.

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

5 (a) Varying levels of public transportation utilization;

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

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

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

10 (e) Forecasts capturing each utility service area's relative  
11 level of zero emissions vehicle use that would achieve each utility  
12 service area's relative emissions reductions consistent with ((RCW  
13 ~~70A.45.020~~) estimates from the transportation electrification  
14 strategy under RCW 43.392.040.

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

29 (7) The mapping and forecasting tool must, to the extent  
30 appropriate, integrate related analyses, such as the department of  
31 commerce's state energy strategy, the joint transportation  
32 committee's public fleet electrification study, the west coast  
33 collaborative's alternative fuel infrastructure corridor coalition  
34 report, and other related electric vehicle supply equipment  
35 assessments as deemed appropriate. To the extent that the mapping and  
36 forecasting tool is used by the department as the basis for the  
37 identification of recommended future electric vehicle charging sites,  
38 the department must consider recommending sites that are colocated  
39 with small retailers, including gas stations and convenience stores,  
40 and other amenities.

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

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

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

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

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

24 (a) "Charging infrastructure" means a unit of fueling  
25 infrastructure that supplies electric energy for the recharging of  
26 battery electric vehicles.

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

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

36 (d) "Electric vehicle supply equipment" means charging  
37 infrastructure and hydrogen refueling infrastructure.

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

1 (f) "Refueling infrastructure" means a unit of fueling  
2 infrastructure that supplies hydrogen for the resupply of hydrogen  
3 fuel cell electric vehicles.

4 **PART II**

5 **ELECTRIC UTILITY TRANSPORTATION ELECTRIFICATION INVESTMENTS**

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

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

14 (2) In making investments under subsection (1) of this section,  
15 the governing authority must:

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

18 (i) Residential and fleet charging;

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

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

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

26 (3) In adopting an electrification of transportation plan under  
27 subsection (1) of this section, the governing authority may consider  
28 some or all of the following: (a) The applicability of multiple  
29 options for electrification of transportation across all customer  
30 classes; (b) the impact of electrification on the utility's load, and  
31 whether demand response or other load management opportunities,  
32 including direct load control and dynamic pricing, are operationally  
33 appropriate; (c) system reliability and distribution system  
34 efficiencies; (d) interoperability concerns, including the  
35 interoperability of hardware and software systems in electrification  
36 of transportation proposals; and (e) overall customer experience.

37 ~~((3))~~ (4) An electric utility formed under this chapter may,  
38 upon making a determination in accordance with subsection (1) of this

1 section, offer incentive programs in the electrification of  
2 transportation for its customers, including the promotion of electric  
3 vehicle adoption and advertising programs to promote the utility's  
4 services, incentives, or rebates.

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

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

13 (2) In making investments under subsection (1) of this section, a  
14 public utility district must:

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

17 (i) Residential and fleet charging;

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

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

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

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

37 (~~(3)~~) (4) A public utility district may, upon making a  
38 determination in accordance with subsection (1) of this section,  
39 offer incentive programs in the electrification of transportation for



1 its customers, including the promotion of electric vehicle adoption  
2 and advertising programs to promote the district's services,  
3 incentives, or rebates.

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

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

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

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

26 (b) The company prioritizes strategies for electric utilities to  
27 implement including, but not limited to:

28 (i) Residential and fleet charging;

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

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

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

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

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

8 (5) By December 31, 2017, the commission must report to the  
9 appropriate committees of the legislature with regard to the use of  
10 any incentives allowed under this section, the quantifiable impacts  
11 of the incentives on actual electric vehicle deployment, and any  
12 recommendations to the legislature about utility participation in the  
13 electric vehicle market.

14 **PART III**

15 **ROLLING RESISTANCE OF REPLACEMENT TIRES**

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

17 (1) Rolling resistance of tires has a significant effect on the  
18 fuel efficiency of motor vehicles, and the sales of high rolling  
19 resistance replacement tires when low rolling resistance tire  
20 technology is in use by new vehicles costs the average gasoline  
21 vehicle driver the equivalent of approximately two-thirds the state  
22 gas tax;

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

27 (3) Analysis conducted by the department's energy policy office  
28 shows adoption of reasonable replacement tire energy efficiency  
29 standards could result in an approximate cumulative reduction of  
30 600,000,000 gallons of gasoline and 1,500 gigawatt hours of  
31 electricity, equating to a savings of \$3,000,000,000 in  
32 transportation costs for Washington drivers and 5,000,000 metric tons  
33 of carbon dioxide from 2026 to 2035, assuming a 10 percent reduction  
34 in rolling resistance improves gasoline fuel efficiency by three  
35 percent and electricity fuel efficiency by eight percent;

36 (4) The transportation electrification strategy required in RCW  
37 43.392.040 concludes that the state must also urgently pursue  
38 nonelectrification policies, including lower rolling resistance

1 replacement tires, to comply with the greenhouse gas emissions limits  
2 in RCW 70A.45.020.

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

9 NEW SECTION. **Sec. 302.** The definitions in this section apply  
10 throughout this chapter unless the context clearly requires  
11 otherwise.

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

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

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

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

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

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

24 (5) "Rolling resistance coefficient" means the ratio of the  
25 rolling resistance force, in newtons, to the load on the tire in  
26 kilonewtons.

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

31 (7) "Tire manufacturer" means a person, parent corporation,  
32 subsidiary, affiliate, or any other entity, other than a tire  
33 retailer, who manufactures or assembles replacement tires, or imports  
34 or distributes replacement tires in or into Washington for sale or  
35 use in Washington.

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

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

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

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

9        (b) Requirements for any tire brand name owners and tire  
10 manufacturers with replacement tires in production offered for sale  
11 or distribution in the state to report information necessary to  
12 implement this section;

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

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

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

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

23        (b) Any rules adopted by the department prohibiting the sale or  
24 offer for sale of replacement tires based on their rolling  
25 resistance:

26        (i) May not adversely affect tire safety or tire longevity as  
27 demonstrated by the testing of wet grip or traction and treadwear by  
28 an independent analyst prepared for the department or another state  
29 energy office and verified by the department in consultation with the  
30 Washington state patrol;

31        (ii) Must provide exemptions for snow tires, spare use tires,  
32 tires manufactured specifically for use in vehicles with three or  
33 fewer wheels, tires manufactured specifically for use in vehicles  
34 participating in an organized racing or competitive event conducted  
35 by a recognized sanctioning body, tires manufactured specifically for  
36 use in off-road recreational vehicles, or tires manufactured  
37 specifically for use in farm tractors or farm vehicles as defined in  
38 RCW 46.04.181; and

1 (iii) Must provide exemptions for authorized emergency vehicles  
2 as defined in RCW 46.04.040 that are unable to meet the standards in  
3 subsection (2) of this section.

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

7 (5) If developing standards in subsection (2)(e) of this section,  
8 the department shall consider information submitted by tire industry  
9 representatives, including tire brand name owners and tire  
10 manufacturers, during a rule-making process as required in section  
11 304 of this act. The department may classify information submitted by  
12 industry representatives as confidential information not subject to  
13 public disclosure if such a classification is requested by industry  
14 representatives and considered in the public interest by the  
15 department. Nothing in this subsection prohibits the department from  
16 adopting rules if industry representatives fail to submit information  
17 as requested by the department.

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

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

25 (a) Tire brand name owners and tire manufacturers who violate  
26 rules adopted to implement this chapter may be issued a warning by  
27 the department, or another state agency as designated by the  
28 department, for any first violation. Repeat violations are subject to  
29 a civil penalty ranging from \$100 to \$10,000 per occurrence.

30 (b) Tire retailers who violate rules adopted to implement this  
31 chapter may be issued a warning by the department, or another state  
32 agency as designated by the department, for any first violation.  
33 Repeat violations are subject to a civil penalty ranging from \$100 to  
34 \$1,000 per occurrence.

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

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

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

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

9 The chief of the Washington state patrol may update rules  
10 authorized in this chapter to reference rules adopted by the  
11 department of commerce as authorized by section 304 of this act to  
12 ensure better clarity and compliance.

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

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

18 (a) The standards established by federal motor vehicle safety  
19 standard No. 109, as (~~(promulgated)~~) adopted and updated by the  
20 United States department of transportation under authority of the  
21 National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 719,  
22 728; 15 U.S.C. 1392, 1407); and

23 (b) Energy efficiency standards for replacement tires established  
24 by the department of commerce as authorized by sections 301 through  
25 307 of this act.

26 ~~((The applicable standard shall be the version of standard No.~~  
27 ~~109 in effect at the time of manufacture of the tire.))~~

28 (2) It is a traffic infraction for any person, firm, or  
29 corporation to sell or offer for sale any new pneumatic passenger car  
30 tire which does not meet the standards (~~(prescribed in)~~) provided in  
31 subsection (1)(a) of this section unless such tires are sold for off-  
32 highway use, as evidenced by a statement signed by the purchaser at  
33 the time of sale certifying that he or she is not purchasing such  
34 tires for use on the public highways of this state.

35 NEW SECTION. **Sec. 307.** A new section is added to chapter  
36 70A.350 RCW to read as follows:

1 The department shall, in consultation with the department of  
2 commerce, identify and conduct hazard assessments of the chemical  
3 ingredients that are used to achieve reduced rolling resistance in  
4 passenger car and light duty truck tires.

5 NEW SECTION. **Sec. 308.** Sections 301 through 304 of this act  
6 constitute a new chapter in Title 19 RCW.

7 **PART IV**

8 **MEDIUM AND HEAVY DUTY VEHICLE IDLING PREVENTION**

9 NEW SECTION. **Sec. 401.** The legislature finds that the idling of  
10 vehicles, particularly commercial vehicles, contributes significantly  
11 to air quality concerns and greenhouse gas emissions in the state.  
12 These impacts particularly impact overburdened communities and  
13 vulnerable populations, as commercial truck routes are often located  
14 in these communities. Given the improvements in anti-idling  
15 technology and standards, it is no longer prudent to allow for the  
16 continuation of idling at current rates. Therefore, it is the intent  
17 of the legislature to limit idling of commercial vehicles in  
18 Washington.

19 NEW SECTION. **Sec. 402.** (1) Beginning January 2, 2025, any  
20 person that owns, operates, or causes to operate any diesel-fueled  
21 commercial motor vehicle subject to the requirements of this chapter  
22 must comply with the following requirements:

23 (a) No vehicle subject to this chapter may idle for more than  
24 five consecutive minutes at any location.

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

28 (2) For the purposes of this section:

29 (a) "Auxiliary power system" means any device that is permanently  
30 dedicated to the vehicle on which it is installed and provides  
31 electrical, mechanical, or thermal energy to the primary diesel  
32 engine, truck cab or sleeper berth, bus passenger compartment, or any  
33 other commercial vehicle cab, as an alternative to idling the primary  
34 diesel engine.

1 (b) "Restricted area" means any real property zoned for  
2 individual or multifamily housing units, schools, hotels, motels,  
3 hospitals, senior care facilities, or child care facilities.

4 NEW SECTION. **Sec. 403.** (1) The department of ecology must  
5 initiate a rule-making process to provide for civil penalties and  
6 enforcement procedures to implement and enforce section 402 of this  
7 act. Such rules must be consistent with rules adopted to implement  
8 and enforce motor vehicle emissions standards adopted under RCW  
9 70A.30.010. Such rules must also provide for civil penalties for  
10 violations ranging from \$300 to \$1,000 per violation per day.

11 (2) The department of ecology may determine, assess, and collect  
12 annual fees from commercial motor vehicle owners subject to this  
13 chapter in an amount sufficient to cover the direct and indirect  
14 costs of administering and enforcing this section. All fees collected  
15 under this subsection must be deposited in the idling prevention  
16 enforcement account created in section 406 of this act.

17 (3) In addition to penalties imposed under this section, any  
18 person who knowingly avoids any required payment of fees or who is  
19 more than 90 days late with such payment may be subject to an  
20 additional penalty equal to three times the amount of the original  
21 fee owed.

22 NEW SECTION. **Sec. 404.** Compliance with this chapter and any  
23 rules adopted under section 403 of this act applies to any person,  
24 business, or governmental agency that owns, operates, or causes to  
25 operate at any location in Washington state the following equipment:

26 (1) A diesel-fueled commercial motor vehicle that is licensed to  
27 operate in the state of Washington with a gross vehicle weight rating  
28 of more than 10,000 pounds; and

29 (2) Any alternative idle reduction technology including, but not  
30 limited to, internal combustion engine auxiliary power systems, fuel-  
31 fired heaters, battery-electric auxiliary power systems, and other  
32 technologies installed on diesel-fueled commercial motor vehicles.

33 NEW SECTION. **Sec. 405.** Any peace officer, pursuant to RCW  
34 43.43.030, and any air pollution control authority created under  
35 chapter 70A.15 RCW may issue civil penalties for violations described  
36 under section 402 of this act.





1 (c) Develop a funding process recommendation that does not  
2 require school districts to apply for state competitive grants  
3 separate from other direct funding streams, and that ensures a  
4 seamless transition from the department of ecology's clean school bus  
5 program, contingent upon receipt of sufficient funding.

6 (3) The office of the superintendent of public instruction must  
7 collaborate with the department of ecology and department of commerce  
8 to:

9 (a) Develop an extension request and approval process that can be  
10 made for a zero emissions school bus, if a district can demonstrate  
11 the zero emissions school bus will not meet the needs of the school  
12 district; and

13 (b) Coordinate with school districts through regional  
14 transportation coordinators to implement this section.

15 **PART VI**

16 **ELECTRIC VEHICLE INFRASTRUCTURE TRAINING**

17 NEW SECTION. **Sec. 601.** A new section is added to chapter 43.01  
18 RCW to read as follows:

19 Any state agency subject to the requirements of executive order  
20 21-04 must require that the installation of electric vehicle supply  
21 equipment at state-owned facilities be performed by persons certified  
22 by the electric vehicle infrastructure training program or a  
23 similarly accredited program to ensure safety, effectiveness, and  
24 achieve consistency in labor standards. This section does not apply  
25 to installation projects under contract as of the effective date of  
26 this section.

27 **PART VII**

28 **MISCELLANEOUS**

29 **Sec. 701.** RCW 43.84.092 and 2023 c 435 s 13, 2023 c 431 s 9,  
30 2023 c 389 s 9, 2023 c 377 s 6, 2023 c 340 s 9, 2023 c 110 s 2, 2023  
31 c 73 s 9, and 2023 c 41 s 3 are each reenacted and amended to read as  
32 follows:

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

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

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

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

30 (a) The following accounts and funds shall receive their  
31 proportionate share of earnings based upon each account's and fund's  
32 average daily balance for the period: The abandoned recreational  
33 vehicle disposal account, the aeronautics account, the Alaskan Way  
34 viaduct replacement project account, the ambulance transport fund,  
35 the brownfield redevelopment trust fund account, the budget  
36 stabilization account, the capital vessel replacement account, the  
37 capitol building construction account, the Central Washington  
38 University capital projects account, the charitable, educational,  
39 penal and reformatory institutions account, the Chehalis basin  
40 account, the Chehalis basin taxable account, the cleanup settlement

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

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

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

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

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

30 **Sec. 702.** RCW 43.84.092 and 2023 c 435 s 14, 2023 c 431 s 10,  
31 2023 c 389 s 10, 2023 c 377 s 7, 2023 c 340 s 10, 2023 c 110 s 3,  
32 2023 c 73 s 10, and 2023 c 41 s 4 are each reenacted and amended to  
33 read as follows:

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

37 (2) The treasury income account shall be utilized to pay or  
38 receive funds associated with federal programs as required by the  
39 federal cash management improvement act of 1990. The treasury income

1 account is subject in all respects to chapter 43.88 RCW, but no  
2 appropriation is required for refunds or allocations of interest  
3 earnings required by the cash management improvement act. Refunds of  
4 interest to the federal treasury required under the cash management  
5 improvement act fall under RCW 43.88.180 and shall not require  
6 appropriation. The office of financial management shall determine the  
7 amounts due to or from the federal government pursuant to the cash  
8 management improvement act. The office of financial management may  
9 direct transfers of funds between accounts as deemed necessary to  
10 implement the provisions of the cash management improvement act, and  
11 this subsection. Refunds or allocations shall occur prior to the  
12 distributions of earnings set forth in subsection (4) of this  
13 section.

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

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

27 (a) The following accounts and funds shall receive their  
28 proportionate share of earnings based upon each account's and fund's  
29 average daily balance for the period: The abandoned recreational  
30 vehicle disposal account, the aeronautics account, the Alaskan Way  
31 viaduct replacement project account, the ambulance transport fund,  
32 the brownfield redevelopment trust fund account, the budget  
33 stabilization account, the capital vessel replacement account, the  
34 capitol building construction account, the Central Washington  
35 University capital projects account, the charitable, educational,  
36 penal and reformatory institutions account, the Chehalis basin  
37 account, the Chehalis basin taxable account, the cleanup settlement  
38 account, the climate active transportation account, the climate  
39 transit programs account, the Columbia river basin water supply  
40 development account, the Columbia river basin taxable bond water

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



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

1 Washington law enforcement officers' and firefighters' system plan 1  
2 retirement account, the Washington law enforcement officers' and  
3 firefighters' system plan 2 retirement account, the Washington public  
4 safety employees' plan 2 retirement account, the Washington school  
5 employees' retirement system combined plan 2 and 3 account, the  
6 Washington state patrol retirement account, the Washington State  
7 University building account, the Washington State University bond  
8 retirement fund, the water pollution control revolving administration  
9 account, the water pollution control revolving fund, the Western  
10 Washington University capital projects account, the Yakima integrated  
11 plan implementation account, the Yakima integrated plan  
12 implementation revenue recovery account, and the Yakima integrated  
13 plan implementation taxable bond account. Earnings derived from  
14 investing balances of the agricultural permanent fund, the normal  
15 school permanent fund, the permanent common school fund, the  
16 scientific permanent fund, and the state university permanent fund  
17 shall be allocated to their respective beneficiary accounts.

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

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

27 **Sec. 703.** RCW 43.84.092 and 2023 c 435 s 14, 2023 c 431 s 10,  
28 2023 c 389 s 10, 2023 c 377 s 7, 2023 c 340 s 10, 2023 c 110 s 3,  
29 2023 c 73 s 10, and 2023 c 41 s 4 are each reenacted and amended to  
30 read as follows:

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

34 (2) The treasury income account shall be utilized to pay or  
35 receive funds associated with federal programs as required by the  
36 federal cash management improvement act of 1990. The treasury income  
37 account is subject in all respects to chapter 43.88 RCW, but no  
38 appropriation is required for refunds or allocations of interest  
39 earnings required by the cash management improvement act. Refunds of

1 interest to the federal treasury required under the cash management  
2 improvement act fall under RCW 43.88.180 and shall not require  
3 appropriation. The office of financial management shall determine the  
4 amounts due to or from the federal government pursuant to the cash  
5 management improvement act. The office of financial management may  
6 direct transfers of funds between accounts as deemed necessary to  
7 implement the provisions of the cash management improvement act, and  
8 this subsection. Refunds or allocations shall occur prior to the  
9 distributions of earnings set forth in subsection (4) of this  
10 section.

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

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

24 (a) The following accounts and funds shall receive their  
25 proportionate share of earnings based upon each account's and fund's  
26 average daily balance for the period: The abandoned recreational  
27 vehicle disposal account, the aeronautics account, the Alaskan Way  
28 viaduct replacement project account, the brownfield redevelopment  
29 trust fund account, the budget stabilization account, the capital  
30 vessel replacement account, the capitol building construction  
31 account, the Central Washington University capital projects account,  
32 the charitable, educational, penal and reformatory institutions  
33 account, the Chehalis basin account, the Chehalis basin taxable  
34 account, the cleanup settlement account, the climate active  
35 transportation account, the climate transit programs account, the  
36 Columbia river basin water supply development account, the Columbia  
37 river basin taxable bond water supply development account, the  
38 Columbia river basin water supply revenue recovery account, the  
39 common school construction fund, the community forest trust account,  
40 the connecting Washington account, the county arterial preservation

1 account, the county criminal justice assistance account, the covenant  
2 homeownership account, the deferred compensation administrative  
3 account, the deferred compensation principal account, the department  
4 of licensing services account, the department of retirement systems  
5 expense account, the developmental disabilities community services  
6 account, the diesel idle reduction account, the opioid abatement  
7 settlement account, the drinking water assistance account, the  
8 administrative subaccount of the drinking water assistance account,  
9 the early learning facilities development account, the early learning  
10 facilities revolving account, the Eastern Washington University  
11 capital projects account, the education construction fund, the  
12 education legacy trust account, the election account, the electric  
13 vehicle account, the energy freedom account, the energy recovery act  
14 account, the essential rail assistance account, The Evergreen State  
15 College capital projects account, the fair start for kids account,  
16 the ferry bond retirement fund, the fish, wildlife, and conservation  
17 account, the freight mobility investment account, the freight  
18 mobility multimodal account, the grade crossing protective fund, the  
19 higher education retirement plan supplemental benefit fund, the  
20 Washington student loan account, the highway bond retirement fund,  
21 the highway infrastructure account, the highway safety fund, the  
22 hospital safety net assessment fund, the idling prevention  
23 enforcement account, the Interstate 5 bridge replacement project  
24 account, the Interstate 405 and state route number 167 express toll  
25 lanes account, the judges' retirement account, the judicial  
26 retirement administrative account, the judicial retirement principal  
27 account, the limited fish and wildlife account, the local leasehold  
28 excise tax account, the local real estate excise tax account, the  
29 local sales and use tax account, the marine resources stewardship  
30 trust account, the medical aid account, the money-purchase retirement  
31 savings administrative account, the money-purchase retirement savings  
32 principal account, the motor vehicle fund, the motorcycle safety  
33 education account, the move ahead WA account, the move ahead WA  
34 flexible account, the multimodal transportation account, the multiuse  
35 roadway safety account, the municipal criminal justice assistance  
36 account, the oyster reserve land account, the pension funding  
37 stabilization account, the perpetual surveillance and maintenance  
38 account, the pilotage account, the pollution liability insurance  
39 agency underground storage tank revolving account, the public  
40 employees' retirement system plan 1 account, the public employees'

1 retirement system combined plan 2 and plan 3 account, the public  
2 facilities construction loan revolving account, the public health  
3 supplemental account, the public works assistance account, the Puget  
4 Sound capital construction account, the Puget Sound ferry operations  
5 account, the Puget Sound Gateway facility account, the Puget Sound  
6 taxpayer accountability account, the real estate appraiser commission  
7 account, the recreational vehicle account, the regional mobility  
8 grant program account, the reserve officers' relief and pension  
9 principal fund, the resource management cost account, the rural  
10 arterial trust account, the rural mobility grant program account, the  
11 rural Washington loan fund, the second injury fund, the sexual  
12 assault prevention and response account, the site closure account,  
13 the skilled nursing facility safety net trust fund, the small city  
14 pavement and sidewalk account, the special category C account, the  
15 special wildlife account, the state hazard mitigation revolving loan  
16 account, the state investment board expense account, the state  
17 investment board commingled trust fund accounts, the state patrol  
18 highway account, the state reclamation revolving account, the state  
19 route number 520 civil penalties account, the state route number 520  
20 corridor account, the statewide broadband account, the statewide  
21 tourism marketing account, the supplemental pension account, the  
22 Tacoma Narrows toll bridge account, the teachers' retirement system  
23 plan 1 account, the teachers' retirement system combined plan 2 and  
24 plan 3 account, the tobacco prevention and control account, the  
25 tobacco settlement account, the toll facility bond retirement  
26 account, the transportation 2003 account (nickel account), the  
27 transportation equipment fund, the JUDY transportation future funding  
28 program account, the transportation improvement account, the  
29 transportation improvement board bond retirement account, the  
30 transportation infrastructure account, the transportation partnership  
31 account, the traumatic brain injury account, the University of  
32 Washington bond retirement fund, the University of Washington  
33 building account, the voluntary cleanup account, the volunteer  
34 firefighters' relief and pension principal fund, the volunteer  
35 firefighters' and reserve officers' administrative fund, the  
36 vulnerable roadway user education account, the Washington judicial  
37 retirement system account, the Washington law enforcement officers'  
38 and firefighters' system plan 1 retirement account, the Washington  
39 law enforcement officers' and firefighters' system plan 2 retirement  
40 account, the Washington public safety employees' plan 2 retirement

1 account, the Washington school employees' retirement system combined  
2 plan 2 and 3 account, the Washington state patrol retirement account,  
3 the Washington State University building account, the Washington  
4 State University bond retirement fund, the water pollution control  
5 revolving administration account, the water pollution control  
6 revolving fund, the Western Washington University capital projects  
7 account, the Yakima integrated plan implementation account, the  
8 Yakima integrated plan implementation revenue recovery account, and  
9 the Yakima integrated plan implementation taxable bond account.  
10 Earnings derived from investing balances of the agricultural  
11 permanent fund, the normal school permanent fund, the permanent  
12 common school fund, the scientific permanent fund, and the state  
13 university permanent fund shall be allocated to their respective  
14 beneficiary accounts.

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

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

24 NEW SECTION. **Sec. 704.** If any provision of this act or its  
25 application to any person or circumstance is held invalid, the  
26 remainder of the act or the application of the provision to other  
27 persons or circumstances is not affected.

28 NEW SECTION. **Sec. 705.** (1) Section 701 of this act expires July  
29 1, 2024.

30 (2) Section 702 of this act expires July 1, 2028.

31 NEW SECTION. **Sec. 706.** (1) Section 702 of this act takes effect  
32 July 1, 2024.

33 (2) Section 703 of this act takes effect July 1, 2028.

34 NEW SECTION. **Sec. 707.** If specific funding for the purposes of  
35 this act, referencing this act by bill or chapter number, is not

1 provided by June 30, 2024, in the supplemental transportation  
2 appropriations act, this act is null and void.

--- **END** ---