

Electric Vehicle Supply Equipment Regulations

Draft as of January 20, 2022

NEW SECTION

WAC 16-662-200

Electric Vehicle Supply Equipment Compliance Dates

~~(1) Any electric vehicle supply equipment that is eligible for a delayed compliance date based on installation date must be clearly marked with the installation date in a place and manner easily seen by an inspector and the public. If no label is found by the inspector, current requirements may be enforced as if the electric vehicle supply equipment was installed after the installation date associated with delayed compliance.~~

~~(2) All~~Any publicly available electric vehicle supply equipment ~~subject to WAC 16-662-210 and 16-662-215 must be in compliance with the requirements by the following dates:~~

- ~~(1) (a), including both level 2 and~~ direct current fast chargers ~~and Level 2 electric vehicle supply equipment, installed on or and placed into service before Dec 31, 2023 must be in compliance by Jan~~January 1, 2024 ~~is exempt from the requirements in WAC 16-662-210 and WAC 16-662-215 until January 1, 2034.~~
 - ~~(a) (b) Direct current fast charger~~Equipment that is replaced or retrofitted with new hardware after January 1, 2024 is considered to have been installed and ~~Level 2~~placed into service after January 1, 2024 and must comply with the requirements in WAC 16-662-210 and WAC 16-662-215 upon installation.
- ~~(2) Exempt~~ electric vehicle supply equipment ~~installed on or after Jan 1, 2024 must~~ must be in compliance ~~at~~clearly marked, identifying the ~~time~~date of installation ~~on the front of the device in a conspicuous location that is easily seen by an inspector and the public.~~
 - ~~(a) Acceptable ways to clearly mark the installation date may include:~~
 - ~~(i) A sign, sticker, or plaque; or~~
 - ~~(ii) Any other visible marker that is readable, such as a digital display showing the installation date on the home screen or a direct link from the home screen of the display that is easily identified.~~
 - ~~(3) If the installation date is not clearly marked on the front of the device, the device will be considered to have been installed and placed into service after January 1, 2024 and will be subject to the requirements in WAC 16-662-210 and WAC 16-662-215.~~

NEW SECTION

WAC 16-662-210

Electric vehicle supply equipment payment methods

(1) All publicly available electric vehicle supply equipment ~~subject to RCW 19.94.565~~ must have accommodations on or in each unit ~~or, kiosk located on site, used to service, or an in-car display when use is exclusive to vehicles manufactured by the electric vehicle supply equipment service provider,~~ for accepting a minimum of three of the following payment methods. At least one ~~of the~~ payment ~~method~~methods ~~selected~~ must ~~include~~accept payment by charge card (debit, credit, and pre-paid) by use of the card number ~~or, magnetic strip, or EMV Chip.~~

- (a) Toll free number or built-in call button with the option to initiate a charging session at any time that electric vehicle supply equipment is operational and publicly available;

- (b) Credit card reader device ~~(including either one or a combination of a magnetic strip, EMV chip, or contactless);~~
- (c) A mobile payment option without the requirement to download an app ~~or sign in;~~
 - (i) For the purpose of this section, “mobile ~~payment’ means~~payment” has the same meaning as defined in RCW 19.94.565(4), which is an electric fund transfer initiated through a mobile phone or device.
- ~~(d) Acceptance of~~ (d) A mobile payment option that accepts a range of mobile wallets directly at the electric vehicle supply equipment or kiosk;
- (e) RFID card or device that:
 - (i) Does not require a minimum balance;
 - (ii) Does not ~~have~~charge fees on the remaining balance; and
 - (iii) Is compatible with ~~any~~the electric vehicle service provider’s applicable interoperability out-of-network agreements ~~the electric vehicle service provider has.~~
- (f) Other methods that are formally requested as an alternative payment method and approved by the Director prior to their use as a payment method under this section.
 - (i) Alternative payment method must be for the benefit of the public, convenient, and reasonably support access for current or future users;
 - (ii) Approved alternative methods will be posted on the department’s website and will be an allowed ~~alternative to~~payment method for all electric vehicle service providers; ~~;~~

(2) The electric vehicle supply equipment must provide means for conducting a charging session in ~~languages at least one language~~ other than English.

- (a) The electric vehicle service provider shall consider the demographics of the area in which the unit will be installed, and the ~~languages most~~language must be commonly spoken in that location, when determining the alternative ~~languages to offer at the unit~~language(s) provided.

~~(3) Electric vehicle service providers may not require a subscription, membership or account or a minimum balance on an account in order to initiate a charging session at electric vehicle supply equipment units.~~

NEW SECTION

WAC 16-662-215

Interoperability requirements related to electric vehicle supply equipment

- (1) All publicly available electric vehicle supply equipment subject to RCW 19.94.570 must be in compliance with the following interoperability requirements:
 - (a) To facilitate payments across networks, the electric vehicle service provider shall, at a minimum, maintain Open Charge Point Interface (OCPI) version 2.1.1 or 2.2 standards on every networked electric vehicle supply equipment for Level 2 and direct current fast chargers.
 - (b) To protect Washington state businesses investing in electric vehicle infrastructure, all networked electric vehicle service equipment ~~sold or supplied in the state~~subject to RCW 19.94.570 shall be capable of using Open Charge Point Protocol (OCPP) version 1.6 or 2.0.1 standards.

NEW SECTION

~~WAC 16-662-220~~

~~Additional fees for electric vehicle supply equipment~~

~~No draft language for additional fees yet.~~ (2) Upon request, electric vehicle service providers shall provide the department with documentation that electric vehicle supply equipment subject to RCW 19.94.570 complies with the requirements of this section. Acceptable documentation includes, but is not limited, to:

_____ (a) Third party certification; or

_____ (b) Self attestation by the service provider, manufacturer, or distributor of the electric vehicle supply equipment.