RE: NRDC’s Comments Regarding the Draft Rule Language for the Electric Vehicle Supply Equipment Regulations

The Natural Resources Defense Council (NRDC) submits the following comments regarding the draft rule language released by the Washington State Department of Agriculture (WSDA), WAC 16-662-210 “Electric vehicle supply equipment payment methods.”

To meet the goal of creating a mainstream market for electric vehicles and increasing access to those vehicles for low- and moderate-income households and for residents in disadvantaged communities, customers need reliable access to electricity as a transportation fuel where they live, work, and play. Senate Bill 5192 was enacted by the Legislature to accomplish exactly this, however, the draft regulation language fails to fully align with the vision of SB 5192 of setting EVSE performance standards that provide drivers convenient and simple payment methods for charging. The proposed draft rule language would not ensure EV charging stations subject to the regulation have “payment methods that are convenient and reasonably support access for all current and future users,” but would instead simply perpetuate the existing fragmented payment landscape. ¹ Most importantly, the proposed draft language would allow charging station providers to entirely avoid installing EMV chip readers which are currently necessary to enable equitable access for low-income and underbanked drivers. For example, an EVSP could satisfy the requirements of the regulations by simply installing a contactless card/mobile wallet reader in addition to either 1) forcing drivers to call a 1-800 number to pay by credit card or 2) an RFID network card reader (in which case there would be zero ways to pay by prepaid debit card at these charging stations).

Customers should be able to pay for charging at these stations just as they would expect to be able to at gas stations or parking meters, and that entails a physical chip credit card reader. Although the landscape of payment technology is gradually changing, unbanked and underbanked drivers relying on prepaid debit cards still face barriers to paying for charging without chip card readers. Most prepaid debit cards available today still lack contactless capability, and the majority of prepaid debit cards still aren’t compatible with mobile wallets like Apple Pay or Google Pay.² If these drivers can’t pull up and pay for charging with their prepaid debit cards without calling a 1-800 number, Washington will be making EVs even less accessible to low- and moderate-income drivers.

For these reasons, the proposed draft rule language does not meet the requirements of SB 5192. To remedy this, we recommend adopting the same requirements outlined in California’s EVSE

¹ RCW 19.94.565(1)(e).
Standards, § 2360.2, “Payment Method Requirements for Electric Vehicle Supply Equipment.” This will standardize minimum requirements, simplify the user experience, and streamline EVSE inspections.

We appreciate the opportunity to comment on the proposed draft rule language and look forward to continuing to work with WSDA on promoting the achievement of Washington’s climate, air quality, and equity goals.

Respectfully submitted,

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