December 6, 2021

Tim Elliott
Washington State Department of Agriculture
Weights and Measures Program
1111 Washington St SE
Olympia, WA 98504-2560

Via electronic submittal to: TElliott@agr.wa.gov

Re: Department of Agriculture’s draft rule language for Electric Vehicle Supply Equipment Regulations

Dear Mr. Elliott:

On behalf of the Puget Sound Clean Air Agency (Agency), I am writing to provide comments on the Washington State Department of Agriculture’s (WSDA) draft rule language released on November 19, 2021. The Agency supports the intent of SB 5192 and urges WSDA to draft a rule that reflects the bill’s intention to standardize payment methods, interoperability, and fee and reporting requirements for electric vehicle charging supply equipment (EVSE).

The Agency is a special-purpose, regional government agency chartered by state law in 1967. Our jurisdiction covers King, Kitsap, Pierce, and Snohomish counties, home to over half the state’s population. The Agency works to realize a vision of clean and healthy air for all people, all the time, regardless of socio-economic status or geographic location.

In our region, on-road transportation emissions account for approximately 35% of climate pollution. To help our region reduce transportation emissions – and achieve Washington’s target to reduce greenhouse gas emissions by 45% below 1990 levels by 2030, we will need to stimulate shifts in the transportation sector to zero-emission vehicles, particularly electric vehicles. In doing so, we must make public charging for electric vehicles as accessible, convenient, and standardized as
possible to ensure all consumers – regardless of socio-economic status or other factors – can use zero-emission vehicle technology.

The Agency’s comments on the draft rule language are as follows:

**WAC-16-662-200**

Given the urgency for a widespread and standardized electric vehicle charging network across Washington, the Agency urges WSDA to set the compliance date for electric vehicle supply equipment (EVSE) installed before 2024 sooner than 2034 – likely in line with California’s EVSE standards.¹

**WAC-16-662-210**

SB 5192 calls for means for facilitating charging sessions for consumers who are unbanked, underbanked, or low-moderate income. According to Bank On Washington, over 20% of Washington’s residents are either unbanked or underbanked², meaning those who either exclusively or primarily use cash or alternative financial services, such as pre-paid cards.

The Agency supports WSDA’s requirement for all EVSE to include a payment option by charge card (credit, debit, or pre-paid). A 2019 study showed 87% of gas consumers use either a credit or debit card.³ We further urge WSDA to require, at a minimum, all charging stations installed after 2024 to include a physical charge card reader. This requirement would ensure consistency across EVSE, ease-of-use and payment method certainty for consumers, particularly unbanked and underbanked consumers, and create uniformity with California’s EVSE standards.⁴

The Agency recommends WSDA consider requiring EV service providers to allow consumers to input a “maximum cost” as they initiate a charging session. Unbanked, underbanked, and low-moderate income consumers may only be able to afford a certain cost for individual charging sessions. This is particularly important as most consumers today are unfamiliar with the price of electricity and therefore may find it difficult to estimate the final cost of a charging session. A “maximum cost” feature, or something similar, would allow consumers to prevent spending more than they intend.

¹ https://ww2.arb.ca.gov/sites/default/files/2020-06/evse_fro_ac.pdf
² https://bankonwashington.org/
⁴ https://ww2.arb.ca.gov/sites/default/files/2020-06/evse_fro_ac.pdf
Lastly, the Agency supports WSDA’s requirement for EVSE to provide means for conducting charging sessions in languages other than English. The Agency urges WSDA to provide more clarity in how EV service providers should provide language access.

Thank you for the opportunity to convey the Agency’s comments on WSDA’s draft rule language for electric vehicle supply equipment regulations. The Agency looks forward to additional draft rule language and continuing to participate in WSDA’s rulemaking process.

Sincerely,

Craig Kenworthy
Executive Director

CK/jwc