

Chapter 468-602 WAC
ALTERNATIVE FUEL VEHICLE CHARGING AND REFUELING INFRASTRUCTURE PROGRAM

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WAC

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WAC 468-602-010 Authority and purpose. RCW 47.04.350 directs the Washington state department of transportation public-private partnership office to develop and maintain a program to support the deployment of clean alternative fuel vehicle charging and refueling infrastructure that is supported by private financing.

The program consists solely of projects that provide a benefit to the public through development, demonstration, deployment, maintenance, and operation of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions or otherwise increase energy independence for the state. The department refers to the program as the zero emission vehicle infrastructure partnerships (ZEVIP) program.

Program funds are invested in the deployment of electric vehicle charging and hydrogen refueling stations at key intervals along state and federal highway corridors to support interurban, interstate, and interregional travel for clean alternative fuel vehicles. Funds may be used as match to leverage federal funds for the sole purpose of installing, maintaining, and operating electric vehicle charging and hydrogen refueling infrastructure.

[Statutory Authority: RCW 47.04.350. WSR 20-23-010, § 468-602-010, filed 11/6/20, effective 12/7/20. Statutory Authority: Chapter 47.04 RCW. WSR 16-21-092, § 468-602-010, filed 10/19/16, effective 11/19/16.]

WAC 468-602-020 Definitions. Bidder: Nonprofit organizations and government agencies including, but not limited to, federal, state and local public agencies such as cities, counties, municipal corporations, special purpose districts, tribes, ports, air quality districts, public utility districts, transit systems, and regional organizations serving areas adjacent to highway corridors.

Clean alternative fuel vehicles: Vehicles that are powered by electricity including plug-in electric vehicles (PEV) that are capable of drawing electricity from off-board electrical power sources and storing it in batteries and fuel cell electric vehicles (FCEV) that use renewable hydrogen to generate electricity onboard the vehicles. These vehicles are also known as zero emission vehicles (ZEV).

Clean alternative fuel vehicle charging and refueling infrastructure: Products or assemblies installed for the purpose of safely delivering and managing the transfer of electrical energy from an electrical source to an electric vehicle or for refueling hydrogen fuel cell vehicles. Infrastructure may include structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, battery exchange stations, storage or filling stations for renewable hydrogen

intended to refuel fuel cell electric vehicles, and renewable hydrogen production facilities.

Corridor: A state or federal highway and interconnected streets connecting communities or destinations and serving major sources of vehicular travel within the state of Washington.

Department: Washington state department of transportation.

Electric vehicles (EV): Plug-in electric vehicles (PEV) that are recharged from the electrical grid including battery electric vehicles (BEV) that run entirely on electricity and plug-in hybrid electric vehicles (PHEV) that run partially on electricity.

Fuel cell electric vehicles (FCEV): Vehicles that run on electricity produced from an onboard fuel cell using hydrogen and that emit zero tailpipe emissions except for warm air and water vapor.

Eligible project or project: The installation of one or more clean alternative fuel vehicle charging or refueling stations along a corridor within the state of Washington. Projects may include upgrades and improvements that expand access to existing charging or refueling sites.

Indirect value: Benefits of the project that may accrue to project participants other than for the use of the equipment.

Industry standard electric vehicle charging equipment: Nonproprietary electric vehicle supply equipment (EVSE) that meets the common standards used for most mass-produced makes and models of plug-in electric vehicles sold in North America including, but not limited to, CHAdeMO, SAE CCS, and SAE J1772.

Industry standard hydrogen fuel cell vehicle refueling equipment: Equipment and infrastructure that is designed, installed, and maintained as required by the existing recognized national codes and standards for refueling hydrogen fuel cell vehicles.

Nationally recognized interval targets: Meets or exceeds criteria provided by the Federal Highway Administration Alternative Fuel Corridors designation program for corridor-ready infrastructure coverage including the number of miles between one station/site and the next along the corridor and the proximity to the highway.

Owner-operator: An entity involved in installing, operating, and maintaining charging and/or refueling equipment including, but not limited to, dedicated clean alternative fuel vehicle charging and refueling service companies, equipment manufacturers, property owners serving as site hosts, automakers, electric utilities, electricity generators, and state and local governments.

Private sector partner: An entity contributing to the project who stands to gain indirect value from development of the project including, but not limited to, a motor vehicle manufacturer, retail store, nonprofit organization, electric utility, renewable hydrogen producer, or tourism stakeholder.

Profitable and sustainable: Yielding profit or financial gain after the initial project investment and the financial ability to maintain the equipment over time. Projects that strongly demonstrate their financial sustainability within a five-year performance period may be prioritized.

Project: Deployment of publicly accessible clean alternative fuel vehicle charging and refueling stations at one or more accessible locations along a corridor.

Renewable hydrogen: Hydrogen produced using renewable resources (such as water, wind, and solar energy) both as the source for hydrogen and as the source for energy input into the production process.

Vulnerable populations: Communities that experience a disproportionate cumulative risk from environmental burdens due to adverse socioeconomic factors, including unemployment, high housing and transportation costs relative to income, access to food and health care, and linguistic isolation and of sensitivity factors, such as low birth weight and higher rates of hospitalization.

Zero emission vehicles (ZEV): Vehicles that do not produce tail-pipe pollution or that generate fewer emissions than gas-powered cars including battery electric vehicles, plug-in hybrid electric vehicles, and hydrogen fuel cell vehicles.

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WAC 468-602-030 Priority corridors. The department shall define the corridors within which bidders may propose to install electric vehicle charging and hydrogen refueling infrastructure. Priority corridors for electric vehicle charging infrastructure include Interstate 5, Interstate 82, Interstate 90, Interstate 405, U.S. Route 2, U.S. Route 12, U.S. Route 101, U.S. Route 395, and roadways connecting mid-size communities and major tourist destinations. Priority corridors for hydrogen refueling stations include, but are not limited to, Interstate 5, Interstate 82, Interstate 90, U.S. Route 2, U.S. Route 97, State Route 7, and State Route 167. These priority corridors may be updated over time and bidders may propose other corridors for consideration.

The department believes having publicly accessible electric vehicle fast chargers and hydrogen refueling stations in regular intervals along corridors will provide the basic network necessary to enable alternative fuel vehicle travel between communities. The department further recognizes that an effective corridor requires redundancy and fault tolerance, especially in high-use areas. Bidders are encouraged to submit proposals that clearly meet nationally recognized interval targets by fuel type. The department supports upgrades and improvements that expand driver access to existing charging and refueling sites and/or that add capacity/redundancy in congested, high-volume areas for a more robust, dependable charging network. Bidders must explain how their project will lead to the eventual build out of the corridor, and/or planned infrastructure along the corridor.

A bidder may submit a proposal for a project in a corridor that is not listed above as a priority corridor. The department will consider such proposals under the following guidelines:

- Must meet the requirements listed in WAC 468-602-040.
- Must provide supporting evidence that stations will be located where the charging or hydrogen refueling services are currently in demand and are expected to continue to be in demand in the future by alternative fuel vehicle drivers.

[Statutory Authority: RCW 47.04.350. WSR 20-23-010, § 468-602-030, filed 11/6/20, effective 12/7/20. Statutory Authority: Chapter 47.04 RCW. WSR 16-21-092, § 468-602-030, filed 10/19/16, effective 11/19/16.]

WAC 468-602-040 Project requirements. Projects shall provide safe, convenient, cost-competitive, reliable, and easy access for drivers to recharge mass-produced electric vehicles or refuel hydrogen fuel cell vehicles with industry standard equipment. Projects shall address gaps in the state's low-carbon transportation infrastructure which may include expanding the network of infrastructure geographically along underserved roadways, upgrading existing stations with equipment that is compatible with more makes and models of alternative fuel vehicles, and adding stations in high-usage areas to provide fault tolerance and redundancy. The department may prioritize projects located in or benefiting vulnerable populations and highly impacted communities. The department shall ensure projects meet the following requirements:

(1) Bidders must have private sector partners contributing to the project who stand to gain indirect value from development of the project including, but not limited to, motor vehicle manufacturers, dealerships, retail stores, utilities, economic developers, and tourism stakeholders;

(2) Bidders must demonstrate that the proposed project will be valuable to alternative fuel vehicle drivers and will address a gap in the state's low carbon transportation infrastructure;

(3) Projects must be expected to be profitable and sustainable over time for the owner-operator and/or the private sector partner, inclusive of indirect value gained;

(4) Bidders must specify how the project captures the indirect value of station deployment to the private sector partner;

(5) Bidders and their private sector partners must agree to operate and maintain the stations for at least five years and must meet the requirements in the department's solicitation materials for equipment offerings, interoperability standards, station operations and uptime, public access, payment options, customer service, signage, and period of performance; and

(6) Bidders and their private sector partners can reinvest any proceeds from ongoing operations to upgrade equipment and expand the site to accommodate higher utilization rates in the future.

[Statutory Authority: RCW 47.04.350. WSR 20-23-010, § 468-602-040, filed 11/6/20, effective 12/7/20. Statutory Authority: Chapter 47.04 RCW. WSR 16-21-092, § 468-602-040, filed 10/19/16, effective 11/19/16.]

WAC 468-602-050 Selection process. The selection process shall comply with all applicable state laws and policies that govern the department. Solicitations will include, but are not limited to, the following steps:

- Appointment of a procurement coordinator;
- A schedule of procurement activities;
- Bidder question and answer period;
- Public notification of apparently successful bidder;
- An optional bidder debrief; and
- Complaint and protest procedures.

The department may award only one grant or loan per project from the electric vehicle infrastructure account.

[Statutory Authority: RCW 47.04.350. WSR 20-23-010, § 468-602-050, filed 11/6/20, effective 12/7/20. Statutory Authority: Chapter 47.04 RCW. WSR 16-21-092, § 468-602-050, filed 10/19/16, effective 11/19/16.]