DEPARTMENT OF ECOLOGY
State of Washington

Chapter 173-423 WAC, Clean Vehicles Program Rulemaking

Community Forum

January 15, 2026

Ecology staff introductions

- Meg Baker, Community Outreach & Environmental Education Specialist
- Surabhi Subedi, Climate Policy Planner and Tech Host
- Gopika Patwa, Rule Lead, Climate Policy Planner
- Josh Grandbouche, Zero Emission Vehicle Specialist
- Dustin Watson, Mobile Source Air Quality Specialist

Agenda

1. What is rulemaking?
2. Clean Vehicles Program overview
3. ZEVergreen
4. Rulemaking: Scope, current standards, rule revision details, and benefits
5. Additional rule revisions under consideration
6. Rulemaking timeline, Environmental Justice Assessment, and public engagement

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Why do we write rules?

The legislature adopts a law that requires or allows rulemaking by Ecology

Ecology receives requests or concerns about our rules

Ecology has identified updates to rules that need to be adopted

Rulemaking terms

Laws (State)

Created by Legislators

Known as Revised Code of Washington (RCW)

- Climate Commitment Act (Chapter 70A.30 RCW)

Rules

Details how a state agency will implement a law

Known as Washington Administrative Code (WAC)

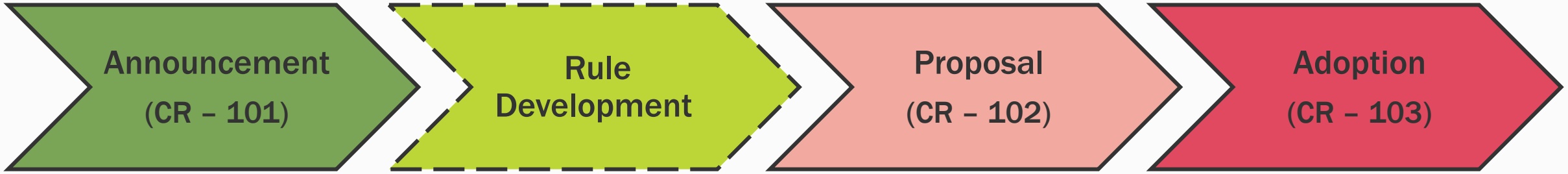
- Clean Vehicle Program Rule (Chapter 173-423 WAC)

Rulemaking

Administrative and public process for developing and adopting a rule

- Provide clear and understandable details for law implementation
- Help regulated communities understand requirements and know what to expect

Rulemaking processes



- Gather information
- Explore options
- Notify the public of Ecology's intent to pursue rulemaking

- Host public meetings
- Accept informal comments
- Develop draft rule language

- Share proposed rule language
- Open formal comment period
- Host public hearings
- Consider and respond to comments

- Finalize and share adopted rule language
- Share response to comments
- Publish documents, including Environmental Justice Assessment

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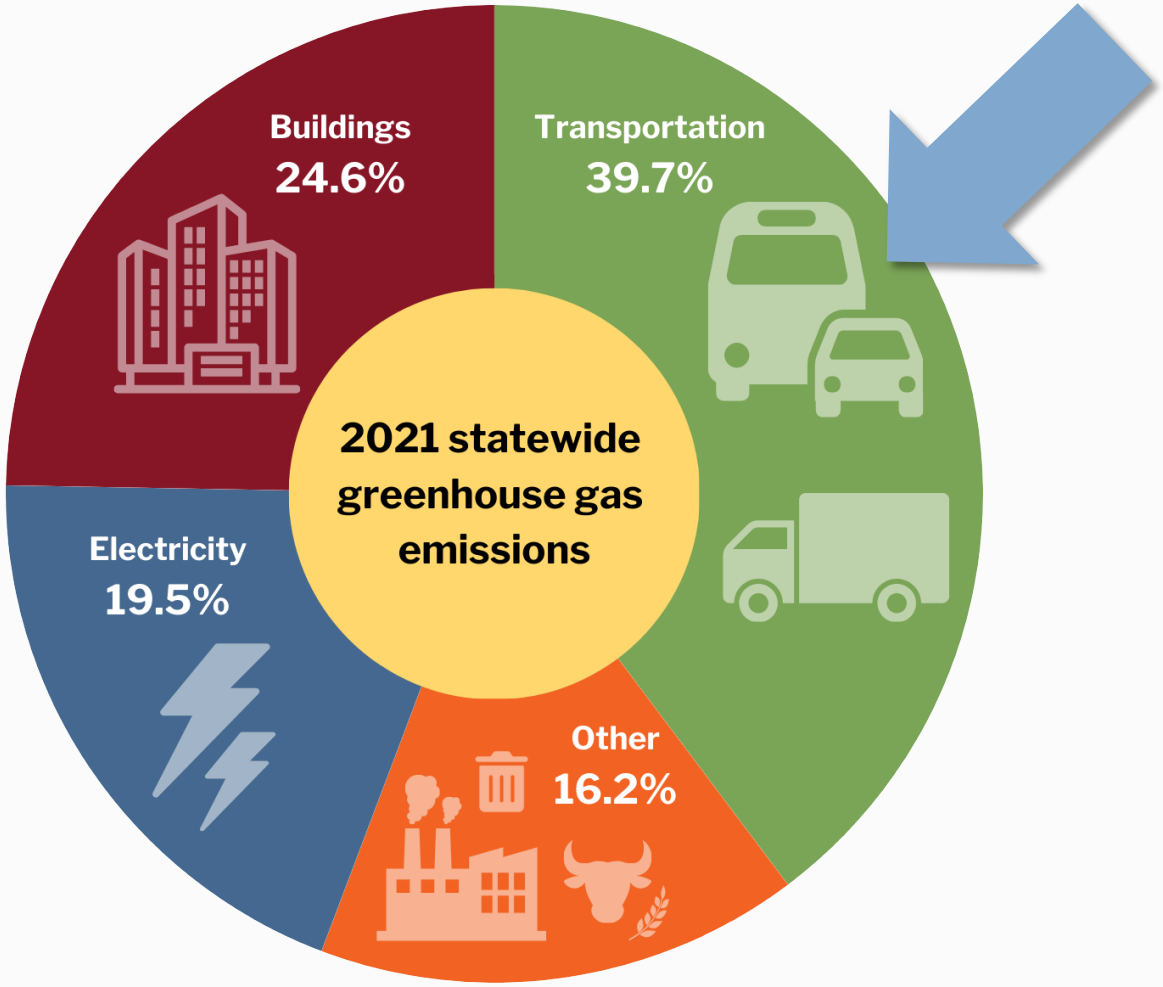
Driving to a cleaner future

- Transportation is Washington's greatest single source of greenhouse gas emissions and is a major source of air pollutants.
- 23% of state greenhouse gas emissions from on-road transportation.



Clean Vehicles Program: Policy overview

Zero-emission vehicles (ZEV) + low-emission vehicle (LEV) standards were adopted by the Washington Legislature in 2020 by reference from California standards

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Who do these rules impact?

- Manufacturers that sell new vehicles and engines
- The rules **do not** apply to Tribes, dealerships, or fleets

Federal headwinds

Waivers illegally revoked for motor vehicle emission standards

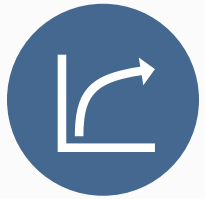
Washington and 10 other states filed legal challenge

Federal funding frozen

Successful lawsuit, led by WSDOT, unlocks $55m

EV tax credits expired at the end of September 2025

7+ years ahead of original expiration date, due to OBBBA



Slowing domestic EV market – year-over-year growth is slowing

Internationally, EV sales are expected to rise to 25-28% this year

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Connection to ZEVergreen

Expanding access

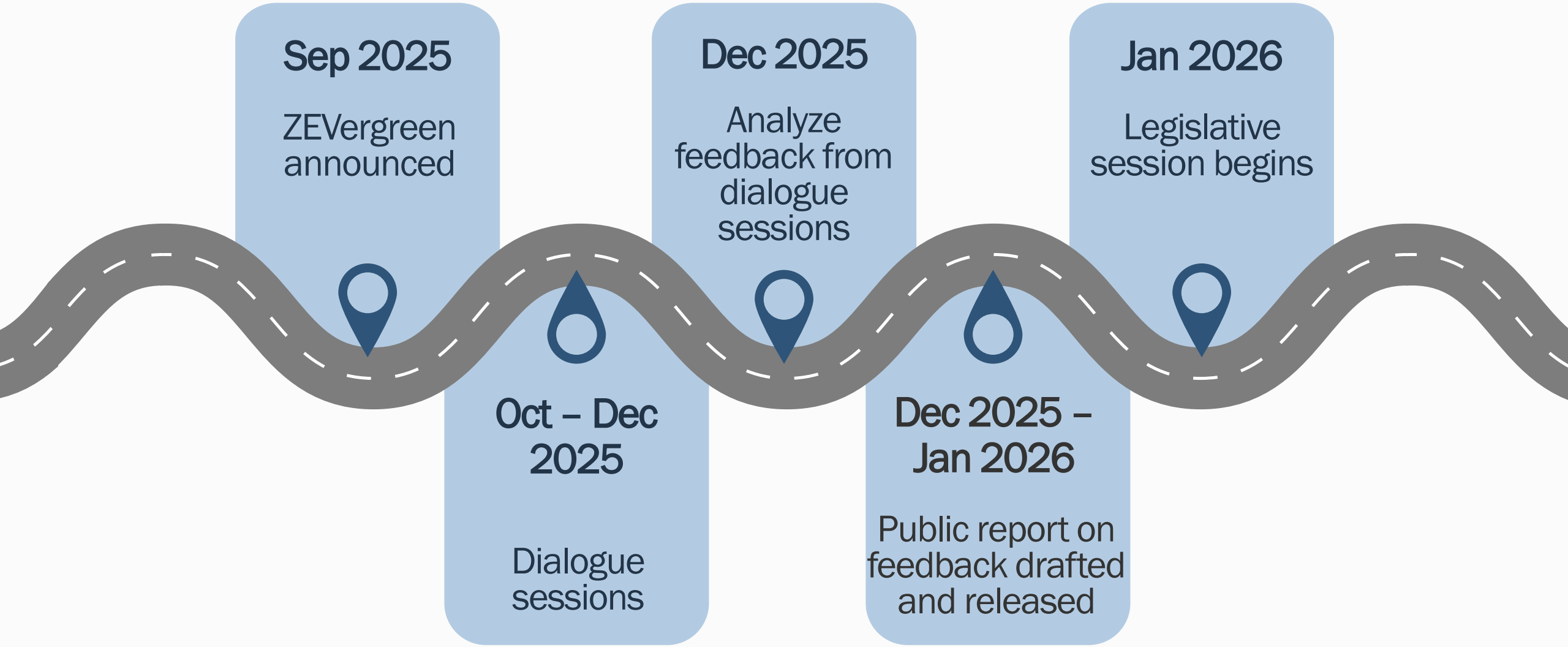
Focusing on affordability

Developing new policies

Collaborating with partners

ZEVergreen: the state's effort to make clean, affordable transportation more accessible.

ZEVergreen timeline



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Scope of rulemaking

Ecology is considering amendments to Washington regulations that will track amendments to California's:

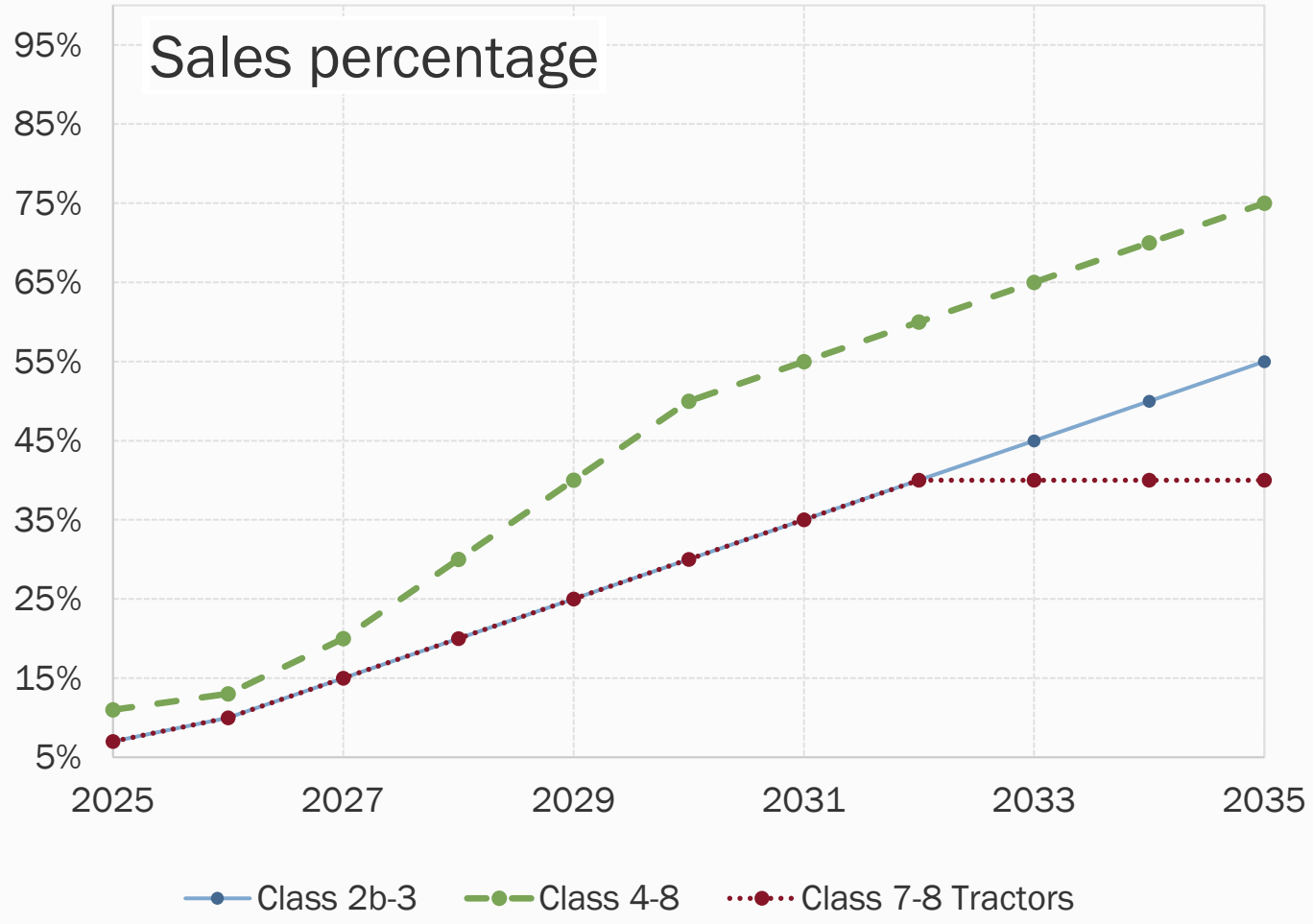
- Advanced Clean Cars
- Advanced Clean Cars II
- Advanced Clean Trucks
- Heavy-Duty Low NOx Omnibus

Ecology is also considering:

- Adopting components of the 2010 medium- and heavy-duty vehicle in-use standards amended by CARB to maintain compliance with RCW 70A.30.010.
- Amending additional components of these regulations within the limits of the federal Clean Air Act.
- Amendments to the one-time fleet reporting requirement

How Advanced Clean Trucks (ACT) works

- Adopted by Ecology in 2021
- Requires Class 2b-8 truck and engine manufacturers to:
  - **Increase sales** of new zero-emission and plug-in hybrid vehicles each year
  - **Or purchase credits** from manufacturers who exceed the requirements



Draft rule language: ACT rule revisions

Allowing manufacturers to pool (i.e., transfer) ZEV credits between states

Pooling is only allowed: 1) with surplus credits; 2) between states with these amendments; 3) where the manufacturer has a deficit; and 4) only up to a certain percentage of that deficit.

Use of Class 2b-8 non-tractor credits for Class 7-8 tractor credits

Allows all zero-emission vehicle credits under ACT to count for semi-truck compliance, up to 1,000 credits each model year.

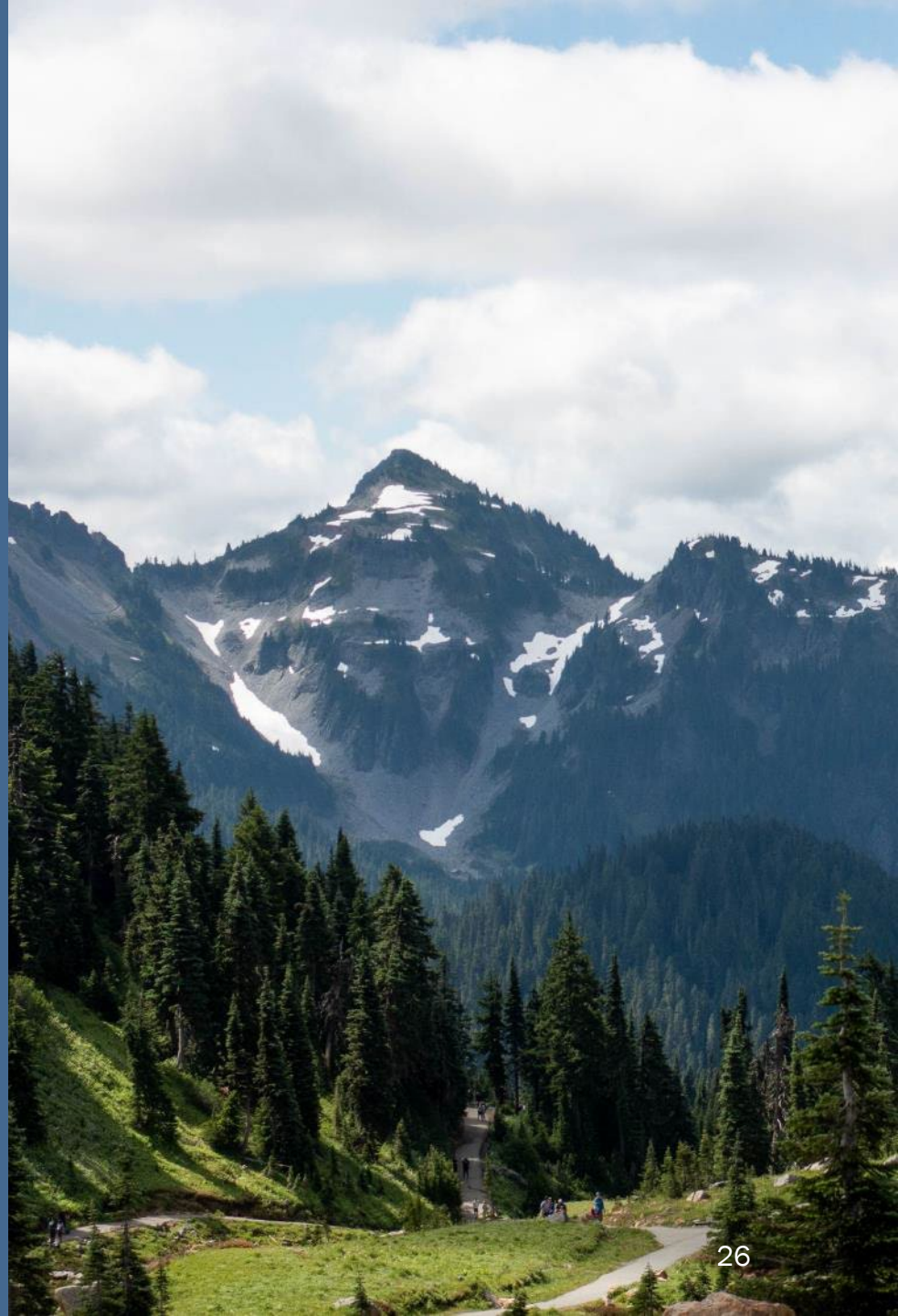
ACT benefits

Large trucks and buses disproportionately contribute to climate change and air pollution

ACT will help Washington clean up:

47 million metric tons of CO_2e through 2050	47% of NOx pollution from these vehicles through 2045	73% of PM2.5 pollution from these vehicles through 2045

Questions?



Heavy-Duty Low NOx Omnibus

- WA adopted in 2022
- Requires heavy-duty engine manufacturers to emit less:
  - nitrogen oxides (NOx)
  - particulate matter (PM)
- Requirements were set to begin 2026
  - Delayed to 2027 by regulatory guidance

Omnibus requirements

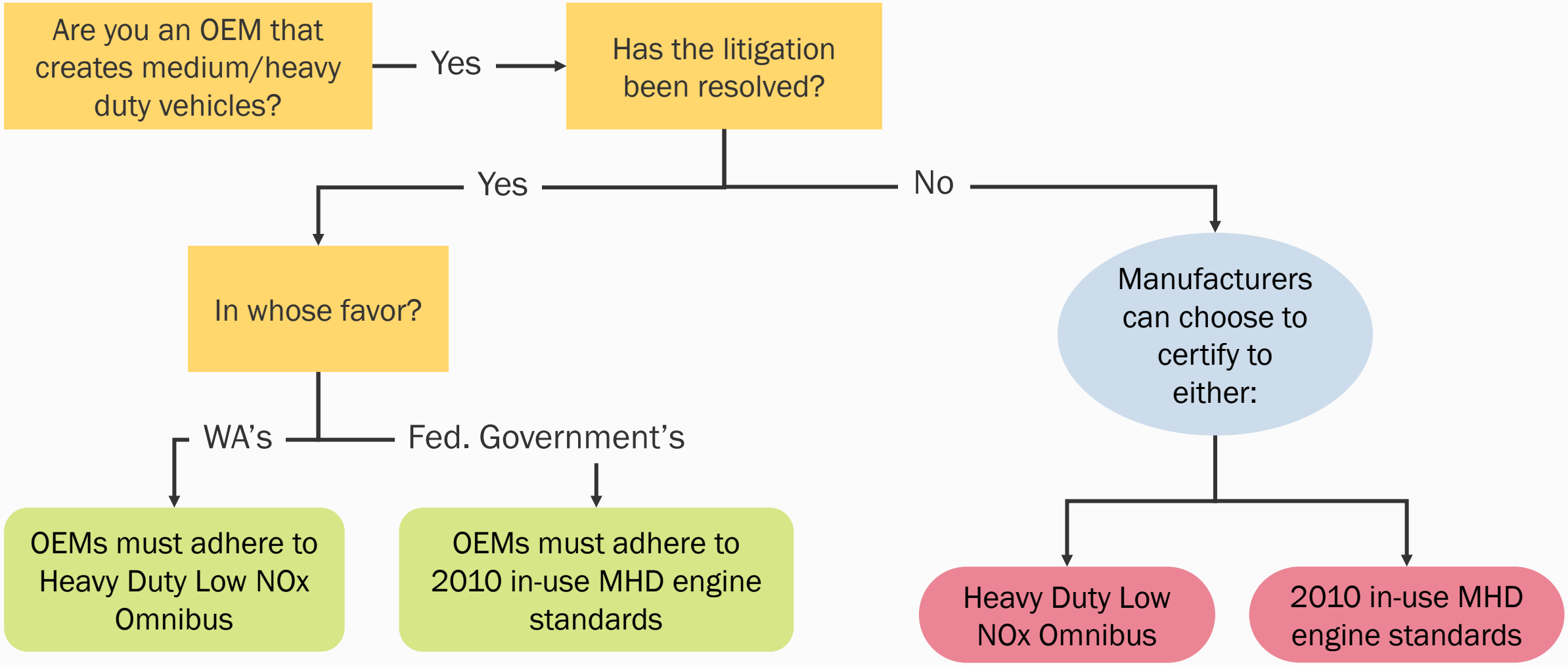
- NOx emission standards:
  - 75% reduction from current standards in 2026
    - Reducing from 0.2 to 0.05 g/bhp-hr
  - 90% reduction from current standards in 2027 and beyond
    - 0.02 g/bhp-hr
- PM emission standards:
  - 50% reduction from current standards in 2026 and beyond
    - 0.005 g/bhp-hr
- Reductions achieved mostly through improved after-treatment technologies
- Improved Warranty, Useful Life, and Emissions Warranty requirements
- Implements CARB Phase 2 greenhouse gas standards

Draft rule language: Omnibus rule revisions

Amendments to align HD Omnibus with EPA NOx Standards as agreed in Clean Trucks Partnership

- Harmonizes exhaust emissions standards (NOx, HC, PM, and CO) with EPA Standards (MY 2027+)
- Standards apply for full useful life of engine
- Aligns In-Use Testing Procedures, Warranty Periods, Useful Life Periods, and Durability Procedures

Additional Omnibus rule revisions



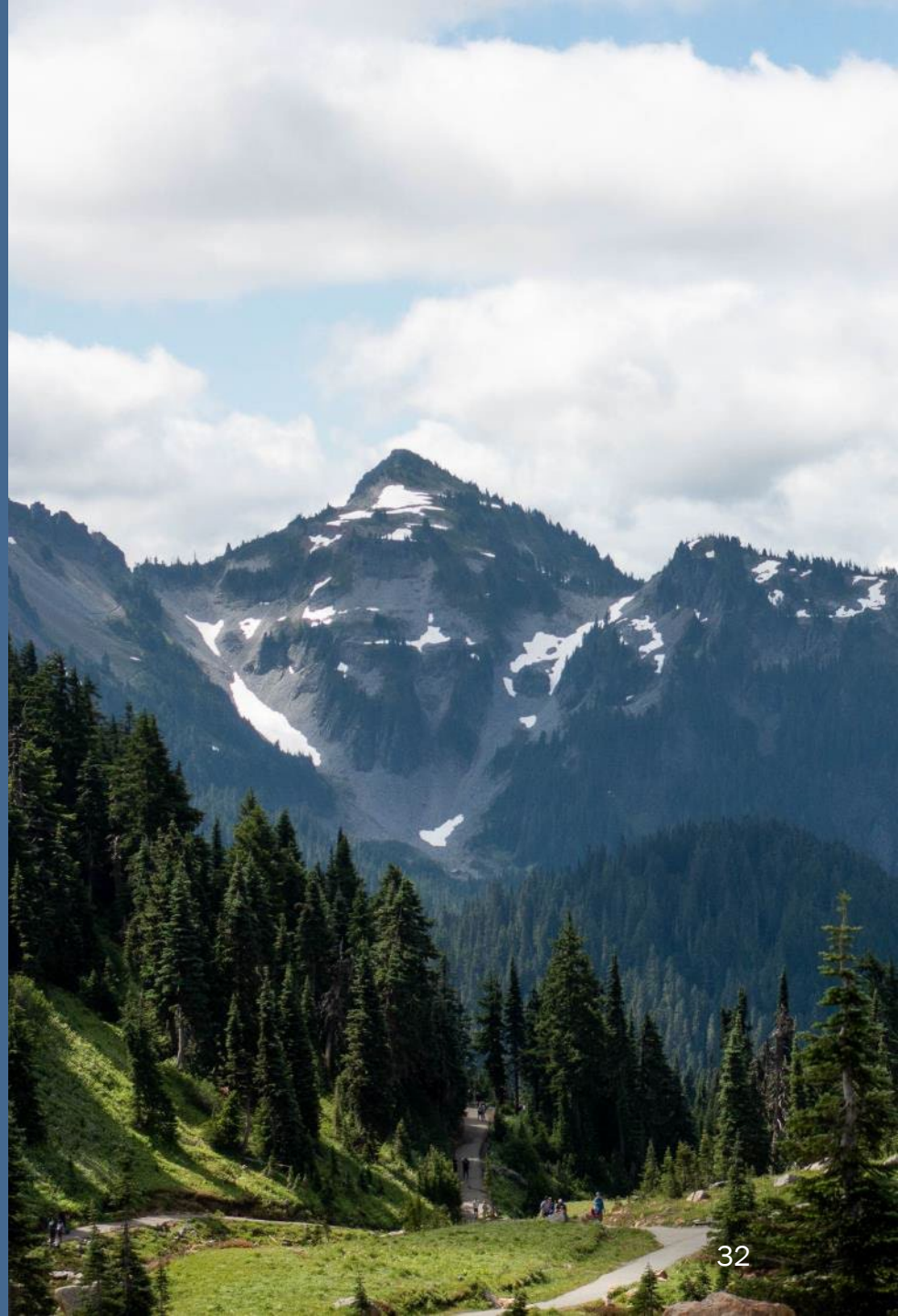
Omnibus benefits

~35,000 tons of reduced NOx emissions by 2050

Omnibus will improve Washington public health by:

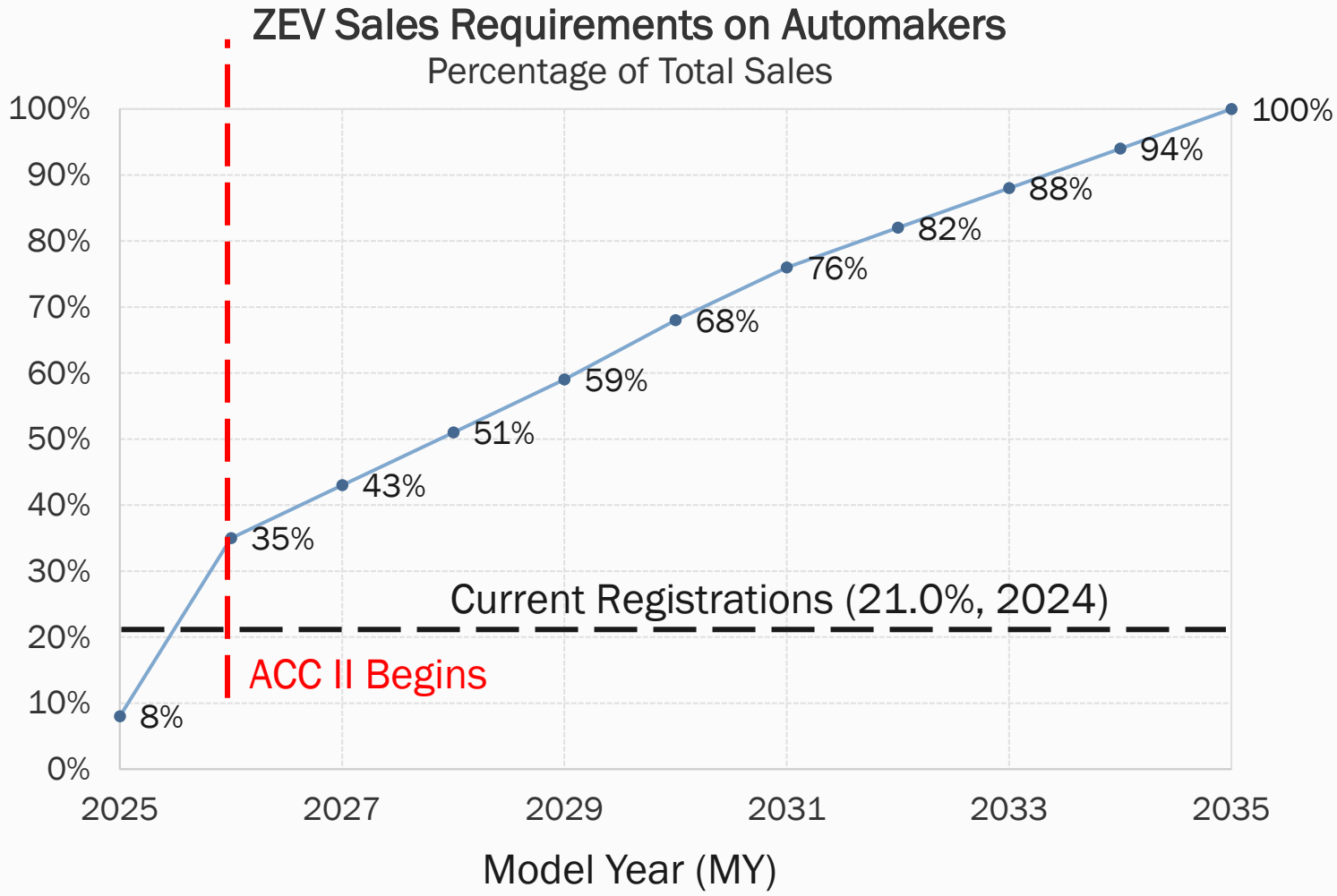
- Reducing premature deaths
- Reducing hospital admissions for breathing difficulties
- Reducing health care costs for air pollution-related issues

Questions?

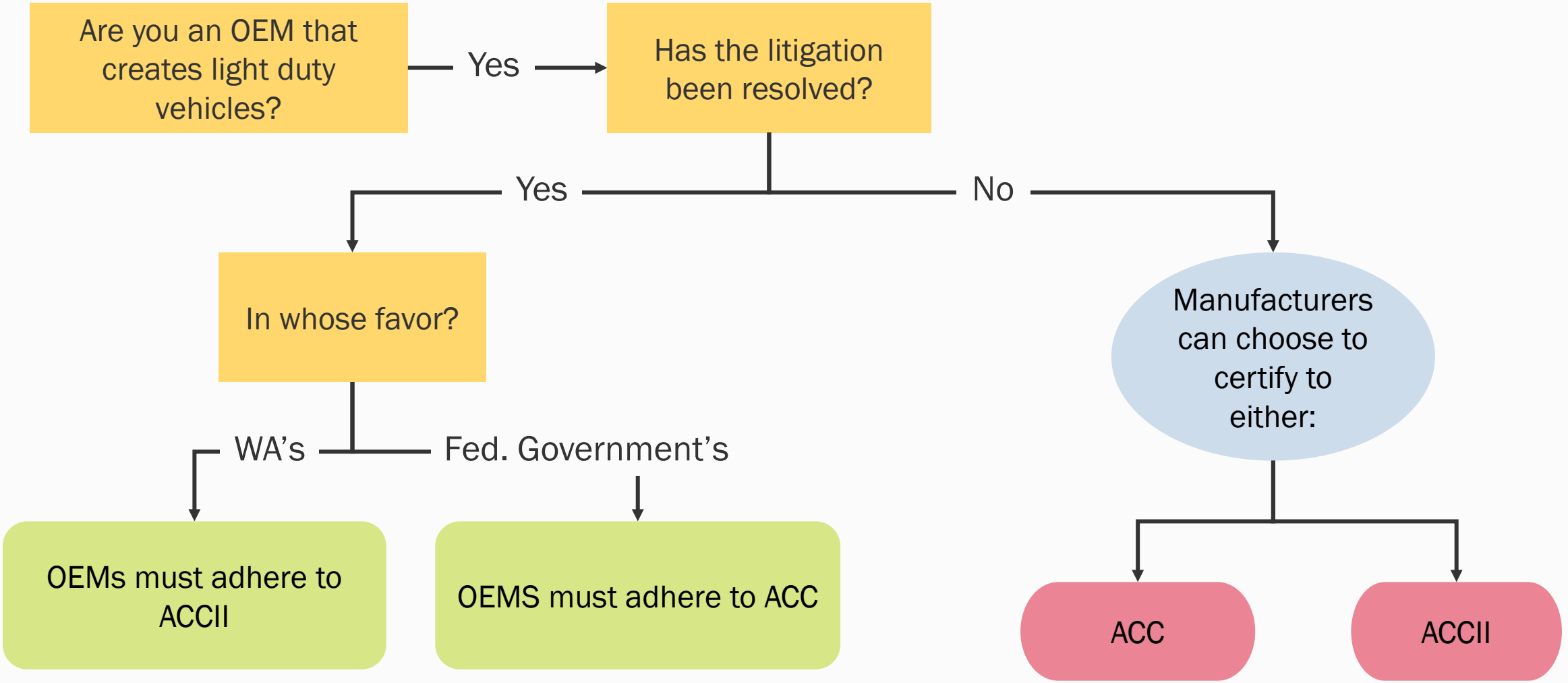


Advanced Clean Cars (I and II)

- 100% new light-duty ZEV sales by 2035
- Requirement is on light-duty vehicle manufacturers
- Begins in MY 2025



Draft rule language: ACC I & II LEV rule revisions



ACC II benefits

Fossil-fuel powered vehicles have 2-3.5x the amount of lifetime GHG emissions as a ZEV

~15% of statewide GHG emissions come from passenger vehicles.

Vehicle pollution contributes to health disparities experienced by overburdened WA communities.

Improved health outcomes and reduced climate impacts from transitioning to ZEVs.

ACCII benefits: A clean future is an affordable one

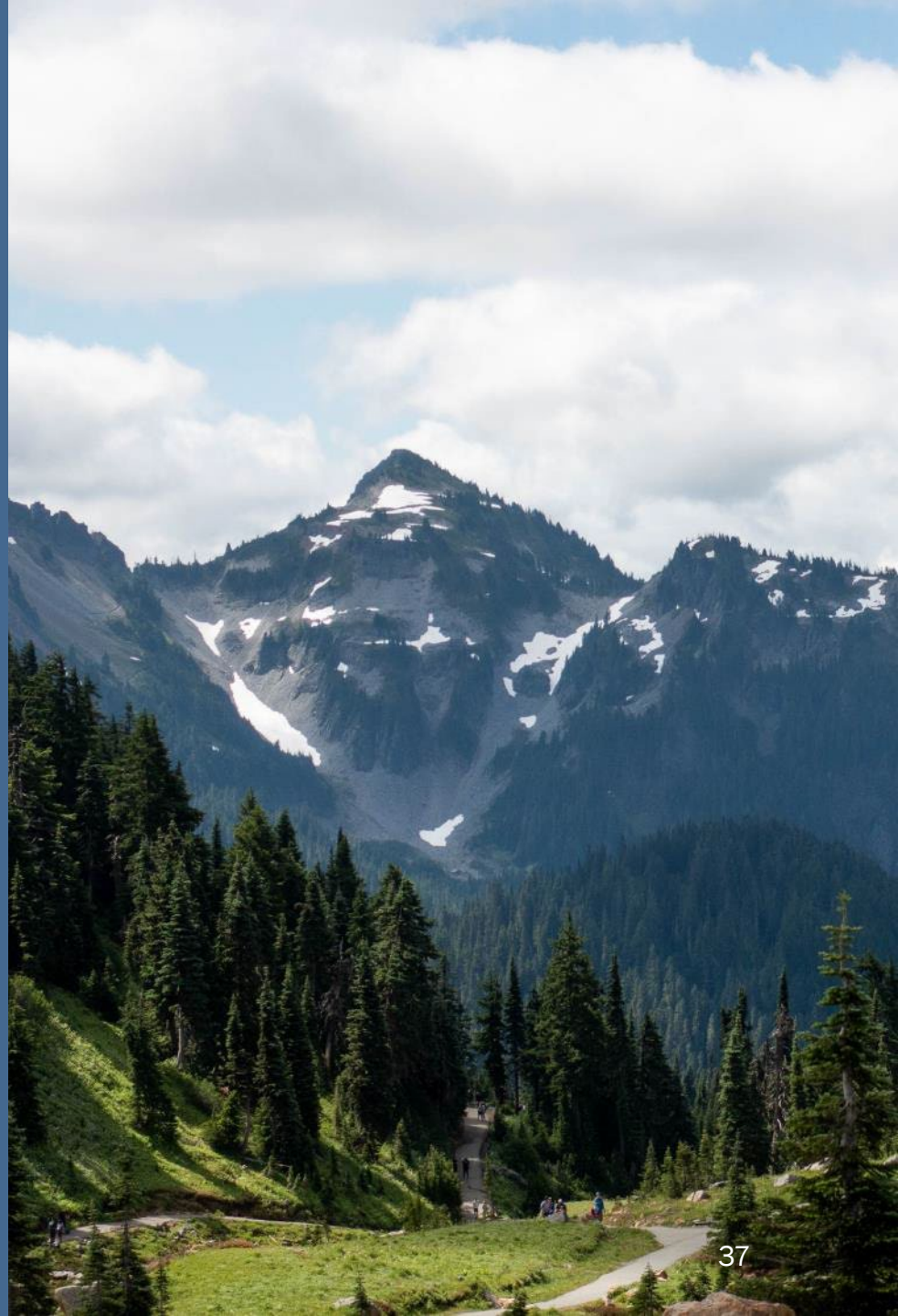
- Transportation is the second largest expense for Americans after housing.
- Zero-emission vehicles can change that.

ZEVs can save drivers hundreds to thousands on maintenance

Charging an EV costs less than $1 per gallon of gas in Washington

Owners that switch to an EV can save more than $2,000 for a compact sedan and more than $8,000 for a mid-size SUV

Questions?



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Additional rule revisions to standards under consideration

Scope for consideration: changes that do not create a “third vehicle” under federal Clean Air Act definition

Current draft rule changes:

- Exempting utility service vehicles used for emergency response from motor vehicle emission standards

Fleet reporting – 2022/2023

- Reporting parties: Fleets/brokers with 5+ medium- and heavy-duty vehicles OR $50+ million in corporate revenue
- Type of information collected: Number, type, age, location, and operations of vehicles in WA in 2022
- Information is used to understand how Washingtonians depend on these vehicles and shape policies that better support these businesses.

Draft rule language: Fleet reporting

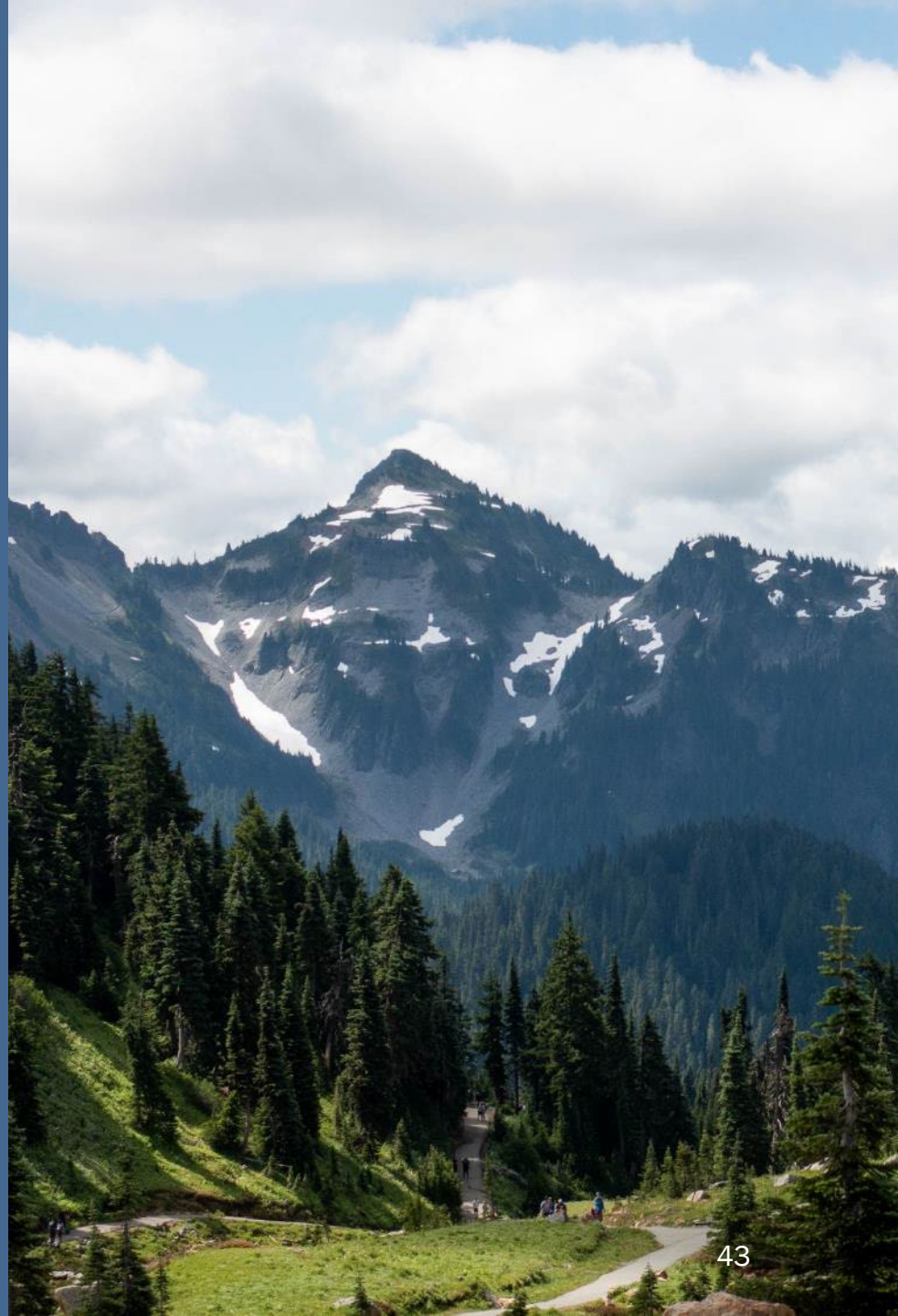
Authorizing Ecology to collect fleet reporting no more than once every other year

Expanding to light-duty vehicle fleets of 25 or more vehicles

Reducing information collected to the most useful for grid planning and state grant programs

Ecology must provide six months advance notice for any reporting period

Questions?



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Rulemaking timeline

Rule announcement

- Introduce rulemaking
- Public meetings
- Rule development
- Informal public comment periods

Nov. 2025 – Spring 2026

Rule proposal

- Announce public hearings
- Provide proposed rule language
- Formal comment period
  - Hold public hearings
  - Submit comments

Summer 2026 – Fall 2026

Rule adoption

- Adopt final rule language (File CR-103)
- Concise Explanatory Statement
- Economic analysis
- Rule effective after 31 Days

Fall 2026

Environmental Justice Assessment

- Ecology will conduct an Environmental Justice Assessment (EJA) to support this rulemaking
- Previous EJA found:
    - Air pollution and climate benefits
    - Noise pollution reduction
    - Potential stormwater runoff concerns
    - Economic impacts

Public engagement

We'll conduct robust public engagement:

- Public informational sessions
- Industry-focused meetings
- Community forums
- Tribal forums
  - Tribes can request additional conversations, engagement, or Government-to-Government consultation
- Public comment periods

- We'll engage the public on the rulemaking and Environmental Justice Assessment prior to proposal.

Questions

What potential benefits will this rulemaking have for your community?

Do you see any potential harms from this rulemaking?

Any additional questions or comments?

Questions and comments?

Gopika Patwa
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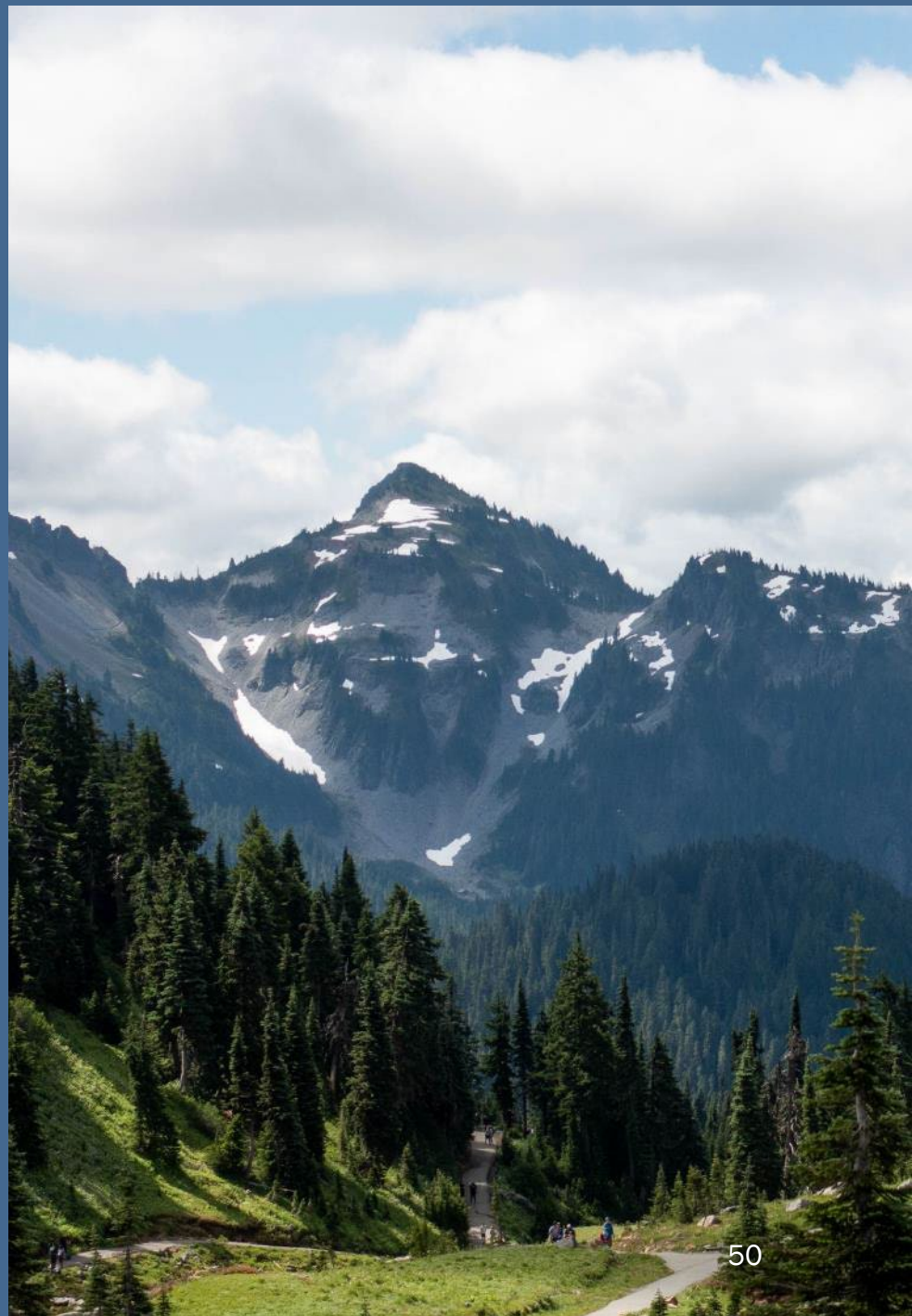
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