DEPARTMENT OF ECOLOGY
State of Washington

Chapter 173-423 WAC, Clean Vehicles Program Rulemaking

Public Hearing 2

August 5, 2026

Ecology staff introductions

- **Jack Millard,** Public Hearing Officer
- **Gopika Patwa**, Climate Policy Planner & Rule Lead
- **Josh Grandbouche**, Zero Emission Vehicle Specialist
- **Dustin Watson**, Mobile Source Air Quality Specialist
- **Rebecca Sears**, Greenhouse Gas Inventory & Transportation Section Manager
- **Nikki Harris**, Rulemaking Coordinator and Tech Host

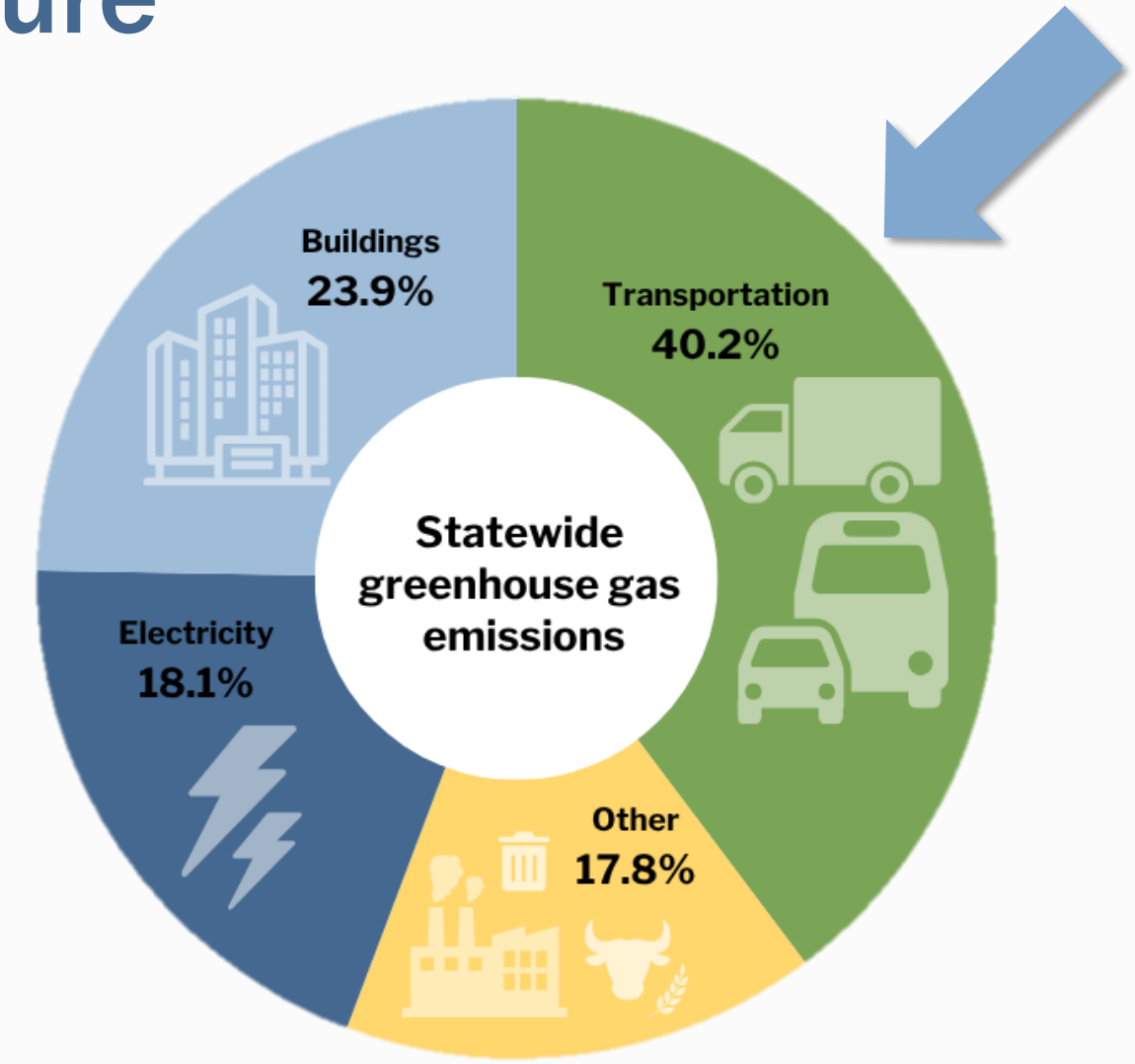
Agenda

- Proposed Rule Overview (40 minutes)
- Question & Answer session (15 minutes)
- 5-Minute Break
- Formal Hearing & Testimony

Driving to a cleaner future

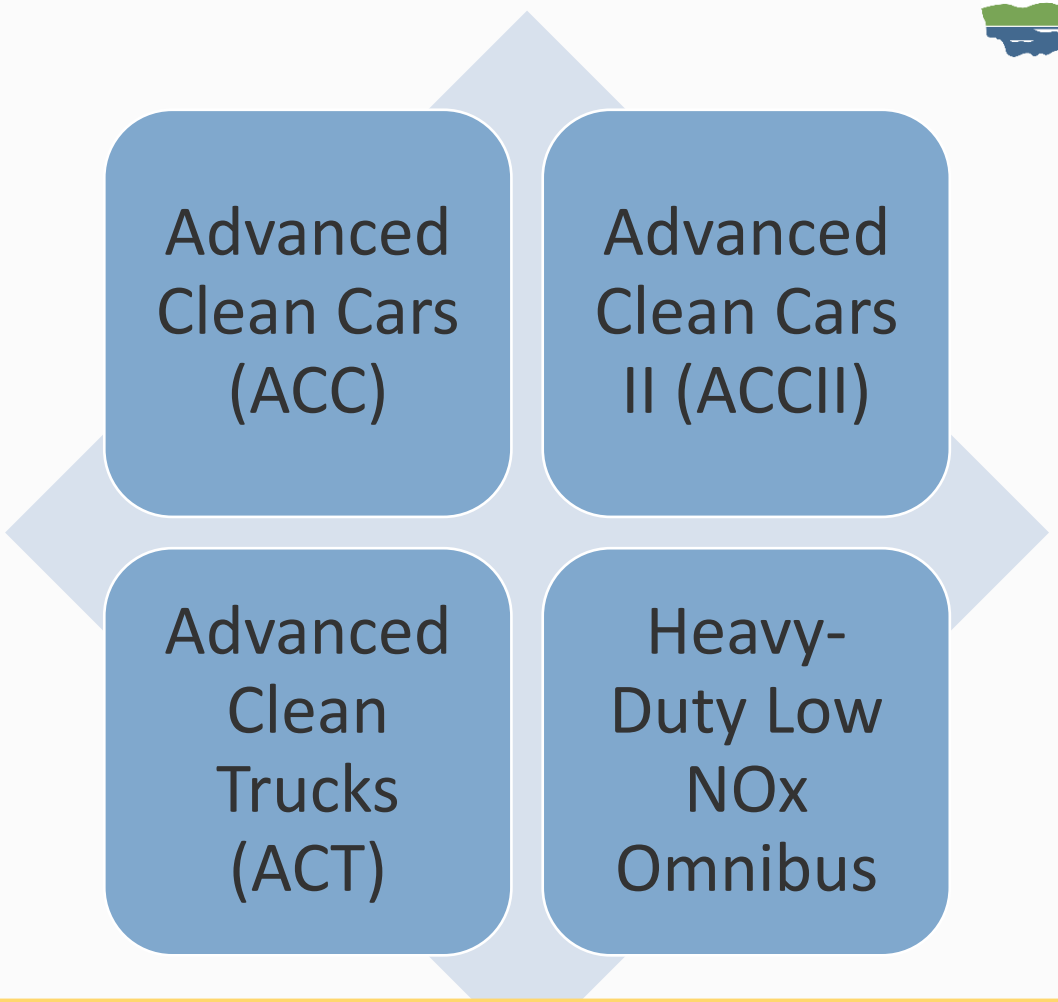
Transportation is:

- Washington's greatest single source of greenhouse gas emissions, and
- A major source of air pollutants.



Policy overview

(ZEV) + (LEV) standards were adopted by WA's Legislature in 2020 by reference from California standards



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 unlawfully revoked for motor vehicle emission standards

Washington and 10 other states filed legal challenge

EPA revoked GHG endangerment finding

Basis for regulating GHG emissions from vehicles at the federal level

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% in 2025 *(final data in summer '26)*

Federal EV charger funding challenged

Successful lawsuit, led by WSDOT unlocks $55m, but faces new restrictions

ZEVergreen

First ‘ZEVergreen’ report will shape affordable clean transportation policy amidst federal interference

OLYMPIA – The Washington Department of Ecology today released a report that details public feedback about how the state should address barriers to zero-emission vehicle (ZEV) adoption as the federal government tries to stall progress. The report is part of ZEVergreen (ZEH-ver-green)—an effort launched by Governor Bob Ferguson and Ecology in response to escalating federal efforts to eliminate clean transportation policies and funding. Some of the solutions put forth include rebates and low-interest financing, continuing to expand public charging, and ensuring businesses can get the power they need to set up charging hubs for their fleets.

“I appreciate all the work from people who came to table to bring these ideas forward, and I’m looking forward to reviewing the strategies,” Governor Ferguson said.

Scope of Rulemaking

Ecology is proposing rule revisions to Washington regulations to align with amendments to the following California regulations:

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

Ecology is also proposing:

- Adopting components of the 2010 medium- and heavy-duty vehicle in-use standards amended by CARB to maintain compliance with RCW 70A.30.010.
- Amendments to the one-time fleet reporting requirement.

Low-emission vehicle (LEV) standards

Current Standards

ACC/LEV III (2012) intended to operate continuously

ACCII/LEV IV (2022) replaced ACC starting in MY 2026

Example here focuses on passenger vehicles.

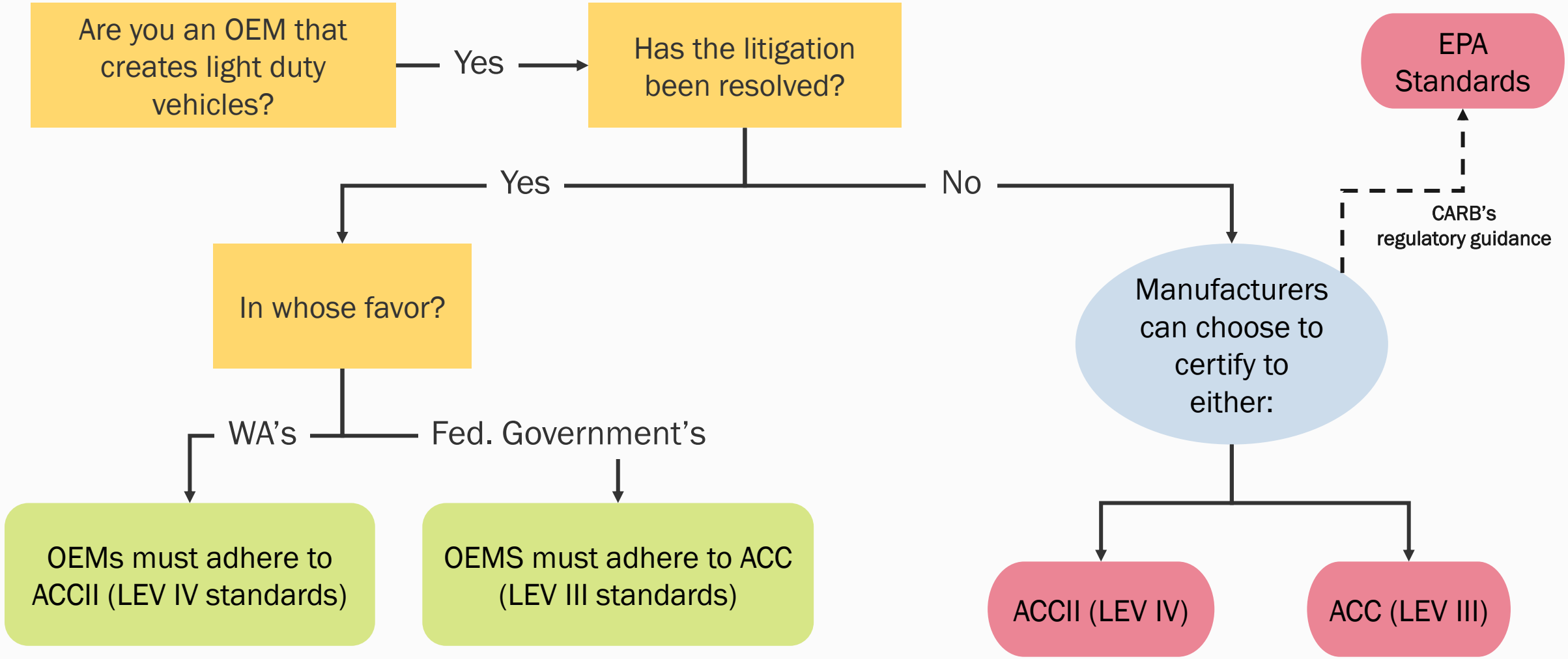
Standards for heavier vehicles are similarly amended.

Proposed Rulemaking

Rulemaking would restore ACC's original design to continue past MY 2025

Protects against federal rollbacks

Proposed Rule Language: ACC I & II LEV rule revisions



Heavy-Duty Low NOx Omnibus

- Adopted in 2022
- Requires heavy duty engine manufacturers emit less:
  - nitrogen oxides (NOx)
  - particulate matter (PM)

Requirements were set to begin 2026,
now delayed to 2027 by regulatory guidance

2010 in-use medium- and heavy-duty engine standards

Includes two regulations:

1) 2007 & Subsequent Model Year On-Highway Heavy Duty Engines and Vehicles Regulation, *AND*

2) Heavy Duty In-Use Compliance Regulation (2010)

Largely harmonized with EPA standards for medium- and heavy-duty vehicles

2010 in-use medium- and heavy-duty engine standards: Regulated emissions

Nitrogen oxides (NOx)

0.20 g/bhp-hr

Non-methane hydrocarbons (NMHC)

0.14 g/bhp-hr

g/bhp-hr= grams per brake horsepower hour

Particulate matter (PM)

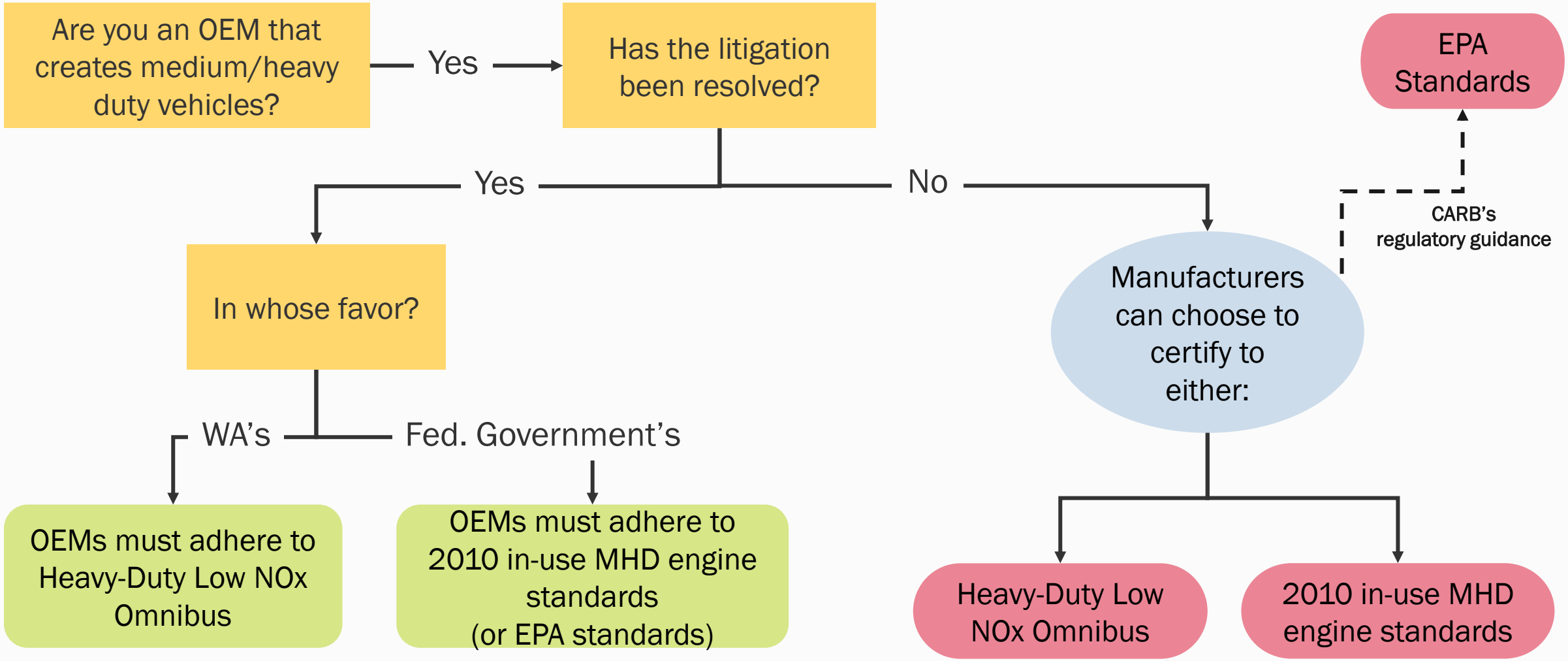
0.01 g/bhp-hr

Carbon monoxide (CO)

15.5 g/bhp-hr

- Significant emissions reductions from earlier standards (up to 90%)
- Standards apply to diesel and gasoline vehicles

Omnibus/2010 in-use rule revisions



Fleet Reporting – 2022/2023

- Reporting parties: Fleets/brokers with 5+ medium- and heavy-duty vehicles OR $50+ million in corporate revenue
  - Tribal fleets are **NOT** required to report
- 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.

Proposed rule language: Fleet reporting pt 1

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

Ecology must provide six months advance notice for any reporting period

Adds light-duty vehicle fleets of 10+ vehicles; exempts utility service vehicles; removes $50mln threshold

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

Proposed rule language: Fleet reporting pt 2

Information requested includes ↓↓↓

For fleet depots: Facility types, address, owned or leased, & contact information

For vehicles: Number of vehicles by depot, vehicle types, weight class, fuel type, owned or leased, refueling patterns, route types, & destination types

For fleet planning: Identify vehicles and depots planned for electrification or hydrogen refueling; (optional) identify off-road vehicles planned for electrification

Environmental Justice Assessment

Ecology is conducting an Environmental Justice Assessment (EJA) to support this rulemaking

EJA for this rulemaking found:

- Air pollution and climate benefits
- Noise pollution mitigation
- Potential stormwater runoff concerns
- Economic impacts

Rulemaking timeline

Rule announcement

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

Nov. 2025 – June 2026

Rule proposal

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

June 2026 – October 2026

Rule adoption

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

November 2026

Nex Steps

Question & Answer

Formal Hearing & Testimony

Submitting written comments

- Visit our rulemaking webpage: https://ecology.wa.gov/regulations-permits/laws-rules-rulemaking/rulemaking/wac-173-423-clean-vehicles-program
- Submit comments online: https://ecology.commentinput.com/?id=7CWPchHjR
- Postal mail: Department of Ecology
  Climate Pollution Reduction Program
  Attn: Gopika Patwa
  PO Box 47600
  Olympia, WA 98504-7600

- Contact Gopika Patwa, rulemaking lead, at gopika.patwa@ecy.wa.gov or call 360-338-2419
- Due by: **August 13, 2026**, at **11:59 p.m.**

Thank you