INFORMAL DRAFT OF PROPOSED CHANGES TO THE

CLEAN VEHICLES PROGRAM RULEMAKING

DATE: January 6, 2026

For Comment and Review

Chapter 173-423 WAC

CLEAN VEHICLES PROGRAM

Last Update: 10/16/25

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

173-423-050 Requirement to meet California vehicle emission standards. [Statutory Authority: RCW 70.120A.010. WSR 12-24-033 (Order 11-01), § 173-423-050, filed 11/28/12, effective 12/29/12; WSR 05-24-044, § 173-423-050, filed 11/30/05, effective 12/31/05.] Repealed by WSR 21-24-059 (Order 21-04), filed 11/29/21, effective 12/30/21. Statutory Authority: Chapter 173-423 WAC, chapter 70A.30 RCW, chapter 173-400 WAC, chapter 70A.15 RCW.

173-423-080 Fleet average nonmethane organic gas (NMOG) and NMOG Plus NOx exhaust emission requirements, reporting and compliance. [Statutory Authority: RCW 70.120A.010. WSR 12-24-033 (Order 11-01), § 173-423-080, filed 11/28/12, effective 12/29/12; WSR 05-24-044, § 173-423-080, filed 11/30/05, effective

12/31/05.] Repealed by WSR 21-24-059 (Order 21-04), filed 11/29/21, effective 12/30/21. Statutory Authority: Chapter 173-423 WAC, chapter 70A.30 RCW, chapter 173-400 WAC, chapter 70A.15 RCW.

173-423-090 Fleet average greenhouse gas exhaust emission requirements, reporting and compliance. [Statutory Authority: RCW 70.120A.010. WSR 12-24-033 (Order 11-01), § 173-423-090, filed 11/28/12, effective 12/29/12; WSR 05-24-044, § 173-423-090, filed 11/30/05, effective 12/31/05.] Repealed by WSR 21-24-059 (Order 21-04), filed 11/29/21, effective 12/30/21. Statutory Authority: Chapter 173-423 WAC, chapter 70A.30 RCW, chapter 173-400 WAC, chapter 70A.15 RCW.

173-423-100 Manufacturer delivery reporting requirements. [Statutory Authority: RCW 70.120A.010. WSR 12-24-033 (Order 11-01), § 173-423-100, filed 11/28/12, effective 12/29/12; WSR 05-24-044, § 173-423-100,

filed 11/30/05, effective 12/31/05.] Repealed by WSR 21-24-059 (Order 21-04), filed 11/29/21, effective 12/30/21. Statutory Authority: Chapter 173-423 WAC, chapter 70A.30 RCW, chapter 173-400 WAC, chapter 70A.15 RCW.

173-423-110 Warranty requirements. [Statutory Authority: RCW 70.120A.010. WSR 12-24-033 (Order 11-01), § 173-423-110, filed 11/28/12, effective 12/29/12. Statutory Authority: RCW 70.120A.010 and 70.120A.050. WSR 09-03-077 (Order 08-16), § 173-423-110, filed 1/15/09, effective 2/15/09. Statutory Authority: RCW 70.120A.010. WSR 05-24-044, § 173-423-110, filed 11/30/05, effective 12/31/05.] Repealed by WSR 21-24-059 (Order 21-04), filed 11/29/21, effective 12/30/21. Statutory Authority: Chapter 173-423 WAC, chapter 70A.30 RCW, chapter 173-400 WAC, chapter 70A.15 RCW.

173-423-120 Recalls. [Statutory Authority: RCW 70.120A.010. WSR 12-24-033 (Order 11-01), § 173-423-120, filed 11/28/12, effective 12/29/12. Statutory Authority: RCW 70.120A.010 and 70.120A.050. WSR 09-03-077 (Order 08-16), § 173-423-120, filed 1/15/09, effective 2/15/09. Statutory Authority: RCW 70.120A.010. WSR 05-24-044, § 173-423-120, filed 11/30/05, effective 12/31/05.] Repealed by WSR 21-24-059 (Order 21-04), filed 11/29/21, effective 12/30/21. Statutory Authority: Chapter 173-423 WAC, chapter 70A.30 RCW, chapter 173-400 WAC, chapter 70A.15 RCW.

173-423-140 Enforcement. [Statutory Authority: RCW 70.120A.010. WSR 05-24-044, § 173-423-140, filed 11/30/05, effective 12/31/05.] Repealed by WSR 21-24-059 (Order 21-04), filed 11/29/21, effective 12/30/21. Statutory Authority: Chapter 173-423 WAC, chapter 70A.30 RCW, chapter 173-400 WAC, chapter 70A.15 RCW.

WAC 173-423-010 Purpose. The purpose of this chapter is to establish rules as authorized by RCW 70A.30.010.

[Statutory Authority: Chapter 173-423 WAC, chapter 70A.30 RCW, chapter 173-400 WAC, chapter 70A.15 RCW. WSR 21-24-059 (Order 21-04), § 173-423-010, filed 11/29/21, effective 12/30/21. Statutory Authority: RCW 70.120A.010. WSR 12-24-033 (Order 11-01), § 173-423-010, filed 11/28/12, effective 12/29/12; WSR 05-24-044, § 173-423-010, filed 11/30/05, effective 12/31/05.]

WAC 173-423-020 Applicability. This chapter applies to all passenger cars, light-duty trucks, medium-duty passenger vehicles, medium-duty vehicles, and heavy-duty vehicles registered, leased, rented or sold for use in Washington, except as provided in WAC 173-423-060 Exemptions.

[Statutory Authority: Chapter 173-423 WAC, chapter 70A.30 RCW, chapter 173-400 WAC, chapter 70A.15 RCW. WSR 21-24-059 (Order 21-04), § 173-423-020, filed 11/29/21, effective 12/30/21. Statutory Authority: RCW 70.120A.010. WSR 05-24-044, § 173-423-020, filed 11/30/05, effective 12/31/05.]

WAC 173-423-025 Effective date. This chapter is effective on January 1, 2006, provided the U.S. Environmental Protection Agency has granted a waiver under 42 U.S.C. Sec. 7543 for the California motor vehicle emission standards adopted by reference in this chapter.

[Statutory Authority: Chapter 173-423 WAC, chapter 70A.30 RCW, chapter 173-400 WAC, chapter 70A.15 RCW. WSR 21-24-059 (Order 21-04), § 173-423-025, filed 11/29/21, effective 12/30/21. Statutory Authority: RCW 70.120A.010. WSR 05-24-044, § 173-423-025, filed 11/30/05, effective 12/31/05.]

WAC 173-423-030 Adoption by reference. (1) This chapter adopts by reference the California Code of Regulations in the following titles:

(a) Title 13, sections 1900, 1956.8, 1960.1, 1961, 1961.1 to 1961.4, 1962.2 to 1962.8, 1963, 1963.1 to 1963.5, 1963.7, 1965, 1968.2, 1968.5, 1969, 1971.1, 1971.5, 1976, 1978, 2035 to 2040, 2046, 2109, 2111 to 2133, 2135, 2137, 2139 to 2149, 2166, 2166.1, 2167, 2168, 2169, 2169.1 to 2169.8, 2170, 2235, 2423, 2485, and Appendix A to Article 2.1 in section 2112;

(b) The alternative sections, ~~which are~~ from~~in~~ Title 13, include sections: 1900.0.1, 1956.8.1, 1956.8.2, 1961.2.1, 1962.2.1, 1~~2~~962.3.1, 1965.0.1, 1968.2.1, 1968.5.1, 1969.0.1, 1971.1.1, 1971.5.1, 1976.0.1, 1978.0.1, 2035.0.1 to 2040.0.1, 2111.0.1 to 2119.0.1, 2121.0.1, 2123.0.1, 2125.0.1 to 2131.0.1, 2137.0.1, 2139.0.1 to 2149.0.1, 2317.0.1, 2423.0.1, and 2485.0.1.

(c) Exception to adopting Title 13 by reference. The following sections are not adopted by reference:

(i) Section 1956.8 (a)(2)(F); and

(ii) Section 1962.4 (e)(2)(A)3.a.i and ii~~; and~~

(d~~c~~) Title 17, sections 95300 to 95307, 95311, and 95660 to 95663.

(e) The alternative sections, ~~which are~~ from~~in~~ Title 17, sections 95300.0.1 to 95307.0.1, 95311.0.1, and 95660.0.1 to 95663.0.1.

(2) Adoption or adoption by reference means the rule applies as if it was copied into this rule. California Code of Regulations means those provisions as adopted in final

regulatory orders by the California Air Resources Board as they exist on JuneMay 236, 20265.

(3) Copies of the relevant sections of California Code of Regulations adopted by reference in this chapter are available on ecology's website or by contacting:

Washington State Department of Ecology

Climate Pollution Reduction Program

300 Desmond Drive

Lacey, WA 98503

360-407-6800

(4) For purposes of applying the adopted sections of California Code of Regulations in Washington, unless the context requires otherwise:

(a) "California" means "Washington";

(b) "CARB," "ARB," or "air resources board" means "ecology"; and

(c) "Executive officer" means "ecology."

[Statutory Authority: Chapter 70A.30 RCW and RCW 70A.02.060. WSR 25-21-084 (Order 24-07), s 173-423-030, filed 10/16/25, effective 11/16/25. Statutory Authority: RCW 70A.30.010. WSR 23-

01-102 (Order 21-12), § 173-423-030, filed 12/19/22, effective 1/19/23. Statutory Authority: Chapter 173-423 WAC, chapter 70A.30 RCW, chapter 173-400 WAC, chapter 70A.15 RCW. WSR 21-24-059 (Order 21-04), § 173-423-030, filed 11/29/21, effective 12/30/21. Statutory Authority: RCW 70.120A.010. WSR 05-24-044, § 173-423-030, filed 11/30/05, effective 12/31/05.]

WAC 173-423-040 Definitions and abbreviations. The following definitions apply to the administration of this chapter. Any term that is not defined in this section must be as defined or described in California Code of Regulations, Title 13, section 1900 or 1963, or Title 17, section 95662, as applicable. Definitions in California Code of Regulations, Title 13, section 1900 or 1963, or Title 17, section 95662 will prevail if any discrepancy arises.

(1) "Authorized emergency vehicle" is defined as provided in RCW 46.04.040.

(2) "Ecology" means the department of ecology.

(3) "Gross vehicle weight rating" or "GVWR" is defined as provided in California Code of Regulations, Title 17, section 95662 (a)(5), reprinted here.

"The value specified by the vehicle manufacturer as the maximum design loaded weight of a single vehicle, consistent with good engineering judgment."

(4) "Light-duty truck" is defined as provided in California Code of Regulations, Title 13, section 1900, reprinted here.

"Any 2000 and subsequent model motor vehicle certified to the standards in California Code of Regulations, Title 13, section 1961 (a)(1), 1961.2, or 1961.4 rated at 8,500 pounds gross vehicle weight or less, and any other motor vehicle, rated at 6,000 pounds gross vehicle weight or less, which is designed primarily for purposes of transportation of property or is a derivative of such a vehicle, or is available with special features enabling off-street or off-highway operation and use."

(5) "Manufacturer" is defined as provided in California Code of Regulations, Title 17, section 95662 (a)(11); California Code of Regulations, Title 13, section 1963(14); and California Code of Regulations, Title 13, section 1900 (8)-(10), summarized here.

(a) Any person engaged in the manufacturing or assembling of new motor vehicles or new motor vehicle engines, or importing

such vehicles or engines for resale, or who acts for and is under the control of any such person in connection with the distribution of new motor vehicles and new motor vehicle engines, but shall not include any dealer with respect to new motor vehicles or new motor vehicle engines received by him in commerce. In general, this term includes any person who manufactures or assembles a vehicle (including a trailer or another incomplete vehicle) for sale in Washington or otherwise introduces a new motor vehicle into commerce in Washington. This includes importers who import vehicles for resale, entities that manufacture glider kits, and entities that assemble glider vehicles. This does not include persons who supply parts to the importer or vehicle manufacturer of record, nor does it include the secondary vehicle manufacturer.

(b) An independent low volume manufacturer, intermediate volume manufacturer, large volume manufacturer, or a small volume manufacturer, with volume status determined by sales in California and therefore consistent in all cases with California's determination of volume status per manufacturer,

defined as provided in California Code of Regulations, Title 13, section 1900.

(6) "Medium-duty passenger vehicle" is defined as provided in California Code of Regulations, Title 13, section 1900, reprinted here.

"Any medium-duty vehicle with a gross vehicle weight rating of less than 10,000 pounds that is designed primarily for the transportation of persons. The medium-duty passenger vehicle definition does not include any vehicle which: (1) is an "incomplete truck" i.e., is a truck that does not have the primary load carrying device or container attached; or (2) has a seating capacity of more than 12 persons; or (3) is designed for more than 9 persons in seating rearward of the driver's seat; or (4) is equipped with an open cargo area of 72.0 inches in interior length or more. A covered box not readily accessible from the passenger compartment will be considered an open cargo area, for purposes of this definition."

(7) "Medium-duty vehicle" is defined as provided in California Code of Regulations, Title 13, section 1900, reprinted here.

"Any 2000 and subsequent model heavy-duty low-emission, ultra-low-emission, super-ultra-low-emission or zero-emission vehicle certified to the standards in California Code of Regulations, Title 13, section 1961 (a)(1), 1961.2, 1961.4, 1962, 1962.1, or 1962.2, having a manufacturer's gross vehicle weight rating between 8,501 and 14,000 pounds."

(8) "Military tactical vehicle" is defined as provided in California Code of Regulations, Title 13, section 1905, reprinted here.

"A motor vehicle owned by the U.S. Department of Defense and/or the U.S. military services and used in combat, combat support, combat service support, tactical or relief operations, or training for such operations."

(9) "Model year" is defined as provided in California Code of Regulations, Title 17, section 95662 (a)(16), summarized here.

(a) The manufacturer's annual production period that includes January 1st of a calendar year, or if the manufacturer has no annual production period, the calendar year. The model year for a motor vehicle manufactured in two or more stages is

the model year in which the chassis is completed, except for a vehicle subject to California Code of Regulations, Title 13, sections 1963 through 1963.5 and 1963.7 (Advanced Clean Trucks).

(b) For a vehicle subject to California Code of Regulations, Title 13, sections 1963 through 1963.5 and 1963.7, "model year" is defined as provided in California Code of Regulations, Title 13, section 1963(c), reprinted here.

"For tractors and vocational vehicles with a date of manufacture on or after January 1, 2021, the vehicle's model year is the calendar year corresponding to the date of manufacture; however, the vehicle's model year may be designated to be the year before the calendar year corresponding to the date of manufacture if the engine's model year is also from an earlier year. Note that 40 Code of Federal Regulations (CFR) § 1037.601 (a)(2), as amended October 25, 2016, limits the extent to which vehicle manufacturers may install engines built in earlier calendar years. Note that manufacturers may have other model year designations for the same vehicle for compliance with other requirements or for other purposes."

(10) "Passenger car" is defined as provided in California Code of Regulations, Title 13, section 1900, reprinted here.

"Any motor vehicle designed primarily for transportation of persons and having a design capacity of twelve persons or less."

(11) "Transit agency" is defined as provided in California Code of Regulations, Title 13, section 2023, reprinted here.

"A public entity responsible for administering and managing transit services. Public transit agencies can directly operate transit service or contract out for all or part of the total transit service provided. A transit agency does not mean a correctional facility, airport, college or university, national park, tour bus service providers, or an entity that provide shuttle services solely for patrons of its organization."

(12) Utility service vehicle is defined as a vehicle purchased for use by local utilities to respond to electric power outages and emergency repairs;

(13) "Zero-emission vehicle" or "ZEV" is defined as provided in California Code of Regulations, Title 13, section 1962.2(a).

"Vehicles that produce zero exhaust emissions of any criteria pollutant (or precursor pollutant) or greenhouse gas, excluding emissions from air conditioning systems, under any possible operational modes or conditions. Model years 2026 and subsequent passenger cars, light-duty trucks, and medium-duty vehicles are certified under California Code of Regulations, Title 13, section 1962.4."

[Statutory Authority: Chapter 70A.30 RCW and RCW 70A.02.060. WSR 25-21-084 (Order 24-07), s 173-423-040, filed 10/16/25, effective 11/16/25. Statutory Authority: RCW 70A.30.010. WSR 23-01-102 (Order 21-12), § 173-423-040, filed 12/19/22, effective 1/19/23. Statutory Authority: Chapter 173-423 WAC, chapter 70A.30 RCW, chapter 173-400 WAC, chapter 70A.15 RCW. WSR 21-24-059 (Order 21-04), § 173-423-040, filed 11/29/21, effective 12/30/21. Statutory Authority: RCW 70.120A.010. WSR 12-24-033 (Order 11-01), § 173-423-040, filed 11/28/12, effective 12/29/12; WSR 05-24-044, § 173-423-040, filed 11/30/05, effective 12/31/05.]

WAC 173-423-060 Exemptions. (1) The following vehicles are not subject to this chapter:

(a~~1~~) Military tactical vehicles;

(b~~2~~) Vehicles sold for registration and use out-of-state;

(c~~3~~) Previously registered vehicles where the mileage at the time of sale exceeds 7,500 miles, provided that for vehicle dealers, the mileage at the time of sales is determined by the odometer statement at the time the vehicle dealer acquired the vehicle;

(d~~4~~) Vehicles that are only available for rent to a final destination outside of Washington;

(e~~5~~) Vehicles purchased by a nonresident prior to establishing residency in Washington, regardless of the mileage on the vehicle;

(f~~6~~) Vehicles transferred by inheritance or as a result of divorce, dissolution or legal separation;

(g~~7~~) Authorized emergency vehicles, as defined in RCW 46.04.040~~Motor vehicles purchased for use by a local police department, county sheriff, fire district, or the Washington state patrol~~; ~~and~~

(h~~8~~) Utility service vehicles~~ purchased for use by local utilities to respond to electric power outages and emergency repairs~~; and~~.~~

(i8) Motor vehicles acquired by a resident who is a member of the military stationed outside Washington pursuant to military orders.

(29) The following vehicles are exempt only from WAC 173-423-081:

(a) Beginning on January 1, 2025, new diesel-fueled buses sold to a transit agency, provided that they comply with applicable motor vehicle emission standards for transit agency vehicles set out in this chapter;

~~(b) Authorized emergency vehicles, as defined in RCW 46.04.040.~~

[Statutory Authority: RCW 70A.30.010. WSR 23-01-102 (Order 21-12), § 173-423-060, filed 12/19/22, effective 1/19/23. Statutory Authority: Chapter 173-423 WAC, chapter 70A.30 RCW, chapter 173-400 WAC, chapter 70A.15 RCW. WSR 21-24-059 (Order 21-04), § 173-423-060, filed 11/29/21, effective 12/30/21. Statutory Authority: RCW 70.120A.010. WSR 12-24-033 (Order 11-01), § 173-423-060, filed 11/28/12, effective 12/29/12; WSR 05-24-044, § 173-423-060, filed 11/30/05, effective 12/31/05.]

WAC 173-423-070 Low emission vehicles. (1) **Requirement to meet California vehicle emission standards.** Except as provided

in WAC 173-423-070(1)(c), a~~A~~ll vehicles subject to this chapter must be certified to the standards adopted by reference in WAC 173-423-030 to be registered, leased, rented, licensed, or sold for use in Washington:

(a) Starting with model year 2009: Passenger car, light-duty truck, or medium-duty passenger vehicle; and

(b) Starting with model year 2025: Medium-duty vehicle.

(c) Unless and until a court of competent jurisdiction issues a final ruling that H.J. Res. 88 (119th Congress) and H.J. Res. 89 (119th Congress) are invalid or that the waivers of preemption granted by U.S. EPA ~~granted~~ to California on January 6, 2025, 90 Federal Register 642 and 90 Federal Register 643, are in effect, regulated parties may choose to follow either: the standards ~~as~~ referenced in WAC 173-423-030(1)(a) and (d); or the alternative standards referenced in WAC 173-423-030(1)(b) and (e). If there is no corresponding alternative ~~section~~standard, ~~identified for a particular class or type of vehicle~~ the original standards referenced in WAC 173-423-030(1)(a) and (d) must be followed. ~~for xxx type vehicle, a regulated entity can choose to either or to~~

(d) However, if a court of competent jurisdiction issues a final ruling that H.J. Res. 88 (119th Congress) and H.J. Res. 89 (119th Congress) are invalid, or that the waivers U.S. EPA granted California on January 6, 2025, 90 Federal Register 642 and 90 Federal Register 643, are in effect, the regulated parties are subject to the requirements of the standards referenced in WAC 173-423-030(1)(a) and (d) to the extent consistent with the court's final ruling. Notice of the court's ruling will be posted on Ecology's website, https://ecology.wa.gov.

(2) **Fleet average emissions - Nonmethane organic gas (NMOG) plus oxides of nitrogen exhaust.**

(a) Effective model year 2009 through 2014, except as provided in this subsection, each motor vehicle manufacturer's NMOG fleet average emissions from passenger cars and light-duty trucks delivered for sale in Washington must not exceed the fleet average NMOG exhaust emission requirement in California Code of Regulations, Title 13, section 1961(b). For the 2014 model year only, a manufacturer may comply with the fleet

average NMOG + NOx values in (b) of this subsection in lieu of complying with the NMOG fleet average emissions in this subsection. A manufacturer must either comply with the NMOG + NOx fleet average requirements for both its PC/LDT1 fleet and its LDT2/MDPV fleet or comply with the NMOG fleet average requirements for both its PC/LDT1 fleet and its LDT2/MDPV fleet. A manufacturer must calculate its fleet average NMOG + NOx values using the applicable full useful life standards.

(b) For model year 2015 through 2025, a motor vehicle manufacturer must comply with the fleet average nonmethane organic gas plus oxides of nitrogen emission values as provided in California Code of Regulations, Title 13, section 1961.2(b).

(c) Emission credits and debits may be accrued and used as provided in California Code of Regulations, Title 13, sections 1961.2(c), 1961.4(d), and 1961.4(e).

(d) Starting with model year 2026, a motor vehicle manufacturer must comply with the fleet average nonmethane organic gas plus oxides of nitrogen emission values as provided in California Code of Regulations, Title 13, sections 1961.4(d) and 1961.4(e).

(e) Each manufacturer must submit a report to ecology by March 1st of the calendar year containing the fleet average emissions for the model year that ended most recently. The report must follow California Code of Regulations, Title 13, sections 1961.2 and 1961.4, and must be in the same format used to report the information to the California air resources board.

(f) If a report submitted by the manufacturer under (e) of this subsection demonstrates that the manufacturer does not comply with the fleet average emission standard, the manufacturer must submit to ecology within 60 days a fleet average enforcement report. The fleet average enforcement report must:

(i) Describe how the manufacturer intends to equalize any accrued debits, as required in California Code of Regulations, Title 13, sections 1961.2 (c)(3) and 1961.4 (e)(3);

(ii) Identify all vehicle models delivered for sale in Washington, their corresponding certification standards, and the percentage of each model delivered for sale in Washington and California in relation to total fleet sales in the respective state;

(iii) Describe how the manufacturer plans to achieve compliance with the fleet average in future model years.

(3) **Fleet average emissions - Greenhouse gas exhaust.**

(a) Starting with model year 2009, a motor vehicle manufacturer must comply with the emission standards, fleet average greenhouse gas exhaust emission requirements, and other requirements provided in California Code of Regulations, Title 13, sections 1961.1 and 1961.3.

(b) Emissions credits and debits may be accrued and used in accordance with California Code of Regulations, Title 13, sections 1961.1(b) and 1961.3(b).

(c) Each manufacturer must submit a report to ecology by March 1st that includes end-of-model year data calculating the fleet average greenhouse gas emissions for the model year that has just ended. The report must include the number of greenhouse gas vehicle test groups, delineated by model type, certified pursuant to California Code of Regulations, Title 13, sections 1961.1 and 1961.3. The report must follow the procedures in California Code of Regulations, Title 13, sections 1961.1 and

1961.3 and must be in the same format used to report this information to the California air resources board.

(d) If the report submitted by the manufacturer under this subsection demonstrates that the manufacturer does not comply with the fleet average emission standards, the manufacturer must submit to ecology within 60 days a fleet average enforcement report. The fleet average enforcement report must:

(i) Describe how the manufacturer intends to equalize any accrued debits, as required in California Code of Regulations, Title 13, sections 1961.1(b) and 1961.3(b), as appropriate.

(ii) Identify all vehicle models delivered for sale in Washington, their corresponding certification standards, and the percentage of each model delivered for sale in Washington and California in relation to total fleet sales in the respective state.

(iii) Describe how the manufacturer plans to achieve compliance with the fleet average in future model years.

(4) **Manufacturer delivery reporting requirements.**

(a) The manufacturer must submit to ecology one copy of the California executive order and certificate of conformity for

certification of new motor vehicles for each engine family to be sold in Washington within 30 days of ecology's request. If these reports are available electronically, the manufacturer must send the record in an electronic format acceptable to ecology.

(b) Commencing with the 2009 model year and prior to the beginning of each model year, upon request, each manufacturer must submit to ecology a list of all models of medium-duty vehicles and medium-duty passenger vehicles that will be delivered to Washington dealers.

(c) Upon request, each manufacturer must report to ecology the vehicle identification numbers (VIN) of each passenger car, light-duty truck, medium-duty passenger vehicle, and medium-duty vehicle delivered to each Washington dealer that is not certified to California emission standards.

(d) For the purposes of determining compliance with this chapter, ecology may require a vehicle manufacturer to submit documentation ecology deems necessary to the effective administration and enforcement of this chapter, including all certification materials submitted to the California air resources board.

(5) **Warranty requirements.**

(a) For all 2009 and subsequent model year vehicles subject to the provisions of this chapter, each manufacturer must provide, to the ultimate purchaser and each subsequent purchaser, a warranty that complies with the requirements in California Code of Regulations, Title 13, sections 2035 through 2038, 2040, and 2046.

(b) For all 2009 and subsequent model year vehicles subject to the provisions of this chapter, each manufacturer must include the emission control system warranty statement that complies with the requirements in California Code of Regulations, Title 13, section 2039. Manufacturers may modify this statement as necessary to inform Washington vehicle owners of the applicability of the warranty. The manufacturer must provide a telephone number appropriate for Washington residents.

(c) All manufacturers must submit to ecology failure of emission-related components reports as defined in California Code of Regulations, Title 13, section 2144 for vehicles subject to this chapter. For purposes of compliance with this requirement, manufacturers may submit copies of the failure of

emission-related components reports that are submitted to the California air resources board, in lieu of submitting reports for vehicles subject to this chapter. Manufacturers may discontinue submitting these reports if notified by ecology. [Statutory Authority: RCW 70A.30.010. WSR 23-01-102 (Order 21-12), § 173-423-070, filed 12/19/22, effective 1/19/23. Statutory Authority: Chapter 173-423 WAC, chapter 70A.30 RCW, chapter 173-400 WAC, chapter 70A.15 RCW. WSR 21-24-059 (Order 21-04), § 173-423-070, filed 11/29/21, effective 12/30/21. Statutory Authority: RCW 70.120A.010. WSR 19-02-056 (Order 18-11), § 173-423-070, filed 12/27/18, effective 1/27/19; WSR 16-12-099 (Order 16-01), § 173-423-070, filed 5/31/16, effective 7/1/16; WSR 12-24-033 (Order 11-01), § 173-423-070, filed 11/28/12, effective 12/29/12. Statutory Authority: RCW 70.120A.010 and 70.120A.050. WSR 09-03-077 (Order 08-16), § 173-423-070, filed 1/15/09, effective 2/15/09. Statutory Authority: RCW 70.120A.010. WSR 05-24-044, § 173-423-070, filed 11/30/05, effective 12/31/05.]

WAC 173-423-075 Zero-emission vehicle standards.

(1) **Requirement to meet California vehicle emission standards - Passenger cars, light-duty trucks, and medium-duty vehicles.**

(a) Applicability.

(i) Unless and until a court of competent jurisdiction issues a final ruling that H.J. Res. 88 (119th Congress) and H.J. Res. 89 (119th Congress) are invalid or that the waivers of preemption granted by U.S. EPA to California on January 6, 2025, 90 Federal Register 642 and 90 Federal Register 643, are in effect, regulated parties may choose to follow either the standards referenced in WAC 173-423-030(1)(a) and (d) or the alternative standards referenced in WAC 173-423-030(1)(b) and (e). If there is no corresponding alternative standard, the original standards referenced in WAC 173-423-030(1)(a) and (d) must be followed.

(ii) However, if a court of competent jurisdiction issues a final ruling that H.J. Res. 88 (119th Congress) and H.J. Res. 89 (119th Congress) are invalid or that the waivers U.S. EPA granted California on January 6, 2025, 90 Federal Register 642 and 90 Federal Register 643, are in effect, the regulated parties are subject to the requirements of the standards referenced in WAC 173-423-030(1)(a) and (d) to the extent consistent with the court's final ruling. Notice of the court's

ruling will be posted on Ecology's website, https://ecology.wa.gov.

(iii) Except as provided in this WAC 173-423-075(1)(a), sStarting with model year 2025, a manufacturer's sales fleet of passenger cars, light-duty trucks, and medium-duty vehicles delivered for sale or lease in Washington must comply with California Code of Regulations, Title 13, sections 1962.2 and 1962.3, adopted by reference in WAC 173-423-030; and

(~~iii~~iv) Starting with model year 2026, a manufacturer's sales fleet of passenger cars, light-duty trucks, and medium-duty vehicles delivered for sale or lease in Washington must comply with the following sections of the California Code of Regulations, Title 13, adopted by reference in WAC 173-423-030:

"(G) 1962.4. Zero-Emission Vehicle Standards for 2026 and Subsequent Model Year Passenger Cars and Light-Duty Trucks;

(H) 1962.5. Data Standardization Requirements for 2026 and Subsequent Model Year Light-Duty Zero Emission Vehicles and Plug-in Hybrid Electric Vehicles;

(I) 1962.6. Battery Labeling Requirements;

(J) 1962.7. In-Use Compliance, Corrective Action and Recall Protocols for Zero Emission for 2026 and Subsequent Model Year Passenger Cars and Light-Duty Trucks;

(K) 1962.8. Warranty Requirements for Zero Emission and Batteries in Plug-in Hybrid Electric 2026 and Subsequent Model Year Passenger Cars and Light-Duty Trucks;"

(b) Reporting requirements. Beginning with model year 2025, a manufacturer must submit a report to ecology for each on-road vehicle produced and delivered for sale in Washington for each model year as required by California Code of Regulations, Title 13, sections 1962.2 and 1962.4.

(c) ZEV credits and values.

(i) ZEV credits may be earned for ZEV sales of model year 2023, 2024, and 2025 vehicles, as allowed by California Code of Regulations, Title 13, section 1962.2 (Advanced Clean Cars I).

(ii) ZEV values may be earned as allowed by California Code of Regulations, Title 13, section 1962.4 (Advanced Clean Cars II).

(2) **Requirement to meet California vehicle emission standards - On-road vehicles over 8,500 GVWR.** (California advanced clean trucks regulation)

(a) Applicability.

(i) Unless and until a court of competent jurisdiction issues a final ruling that H.J. Res. 88 (119th Congress) and H.J. Res. 89 (119th Congress) are invalid or that the waivers of preemption granted by U.S. EPA ~~granted~~to California on January 6, 2025, 90 Federal Register 642 and 90 Federal Register 643, are in effect, regulated parties may choose to follow either the standards ~~as~~ referenced in WAC 173-423-030(1)(a) and (d) or the alternative standards referenced in WAC 173-423-030(1)(b) and (e). If there is no corresponding alternative ~~section~~standard, the original ~~sections~~standards referenced in WAC 173-423-030(1)(a) and (d) must be followed. ~~As an example, the first option would follow Title 13, sections 1961 and 1962.2. The second option would follow Title 13, sections 1961 and 1962.2.1.~~

(ii) However, if a court of competent jurisdiction issues a final ruling that H.J. Res. 88 (119th Congress) and H.J. Res. 89 (119th Congress) are invalid or that the waivers U.S. EPA

granted California on January 6, 2025, 90 Federal Register 642 and 90 Federal Register 643, are in effect, the regulated parties are subject to the requirements of the standards ~~as~~ referenced in WAC 173-423-030(1)(a) and (d) to the extent consistent with the court's final ruling. Notice of the court's ruling will be posted on Ecology's website, https://ecology.wa.gov.

(iii) Except as provided in ~~subsection~~WAC 173-423-075(2)(a) ~~(i)~~ above, ~~S~~starting with model year 2025, any manufacturer that certifies on-road vehicles over 8,500 pounds GVWR for sale or lease in Washington must comply with California Code of Regulations, Title 13, sections 1963 through 1963.5 and 1963.7, adopted by reference in WAC 173-423-030.

(~~i~~A) Section 1963. Advanced Clean Trucks Purpose, Applicability, Definitions, and General Requirements;

(~~ii~~B) Section 1963.1. Advanced Clean Trucks Deficits;

(~~iii~~C) Section 1963.2. Advanced Clean Trucks Credit Generation, Banking, and Trading;

(~~iv~~D) Section 1963.3. Advanced Clean Trucks Compliance Determination;

(~~v~~E) Section 1963.4. Advanced Clean Trucks Reporting and Recordkeeping; ~~and~~

(~~vi~~F) Section 1963.5. Advanced Clean Trucks Enforcement; and~~.~~

(G) Section 1963.7. Pooling Flexibility to Transfer Credits to Another State.

(b) Reporting requirements. Beginning with model year 2025, a manufacturer must submit a report to ecology for each on-road vehicle produced and delivered for sale in Washington for each model year as required by California Code of Regulations, Title 13, section 1963.4.

[Statutory Authority: RCW 70A.30.010. WSR 23-01-102 (Order 21-12), § 173-423-075, filed 12/19/22, effective 1/19/23. Statutory Authority: Chapter 173-423 WAC, chapter 70A.30 RCW, chapter 173-400 WAC, chapter 70A.15 RCW. WSR 21-24-059 (Order 21-04), § 173-423-075, filed 11/29/21, effective 12/30/21.]

WAC 173-423-081 Medium- and heavy-duty vehicle emission standards. (1) Requirements to meet California vehicle emission standards. These standards establish criteria and procedures for the manufacture, testing, distribution and sale of new medium-

and heavy-duty trucks and engines in Washington as adopted by reference in WAC 173-423-030.

(2) Applicability.

(a) Unless and until a court of competent jurisdiction issues a final ruling that H.J. Res. 88 (119th Congress) and H.J. Res. 89 (119th Congress) are invalid or that the waivers of preemption granted by U.S. EPA to California on January 6, 2025, 90 Federal Register 642 and 90 Federal Register 643, are in effect, regulated parties may choose to follow either the standards referenced in WAC 173-423-030(1)(a) and (d) or the alternative standards in WAC 173-423-030(1)(b) and (e). If there is no corresponding alternative standard, the original standards referenced in WAC 173-423-030(1)(a) and (d) must be followed.

(b) However, if a court of competent jurisdiction issues a final ruling that H.J. Res. 88 (119th Congress) and H.J. Res. 89 (119th Congress) are invalid or that the waivers U.S. EPA granted California on January 6, 2025, 90 Federal Register 642 and 90 Federal Register 643, are in effect, the regulated parties are subject to the requirements of the standards

referenced in WAC 173-423-030(1)(a) and (d) to the extent consistent with the court's final ruling. Notice of the court's ruling will be posted on Ecology's website, https://ecology.wa.gov.

(c) Starting with model year 2026, on-road heavy-duty engines, trucks and trailers delivered for sale or sold in Washington, except as provided in WAC 173-423-060 or in ~~this~~ WAC 173-423-081(2)(a) ~~above~~, must comply with California Code of Regulations, Titles 13 and 17, adopted by reference in WAC 173-423-030.

(~~c~~bd) Requirement to meet vehicle emission standards, testing procedures, warranty, reporting, enforcement, recall and other California provisions adopted by reference.

(i) Starting with the 2026 engine model year and for each engine model year thereafter no person may deliver for sale, or sell, in Washington any new on-road heavy-duty engine unless the engine is certified to the California emission standards as required under WAC 173-423-030, except as provided in WAC 173-423-060 ~~Exemptions~~or in WAC 173-423-081(2)(a).

(ii) Except as provided in WAC 173-423-081(2)(a), e~~E~~ach manufacturer of new 2026 and subsequent model year on-road medium- and heavy-duty engines and trucks and trailers must comply with each of the following applicable standards specified in California Code of Regulations, Title 13 adopted by reference in WAC 173-423-030:

(A) Section 1956.8 (a) - (f) and (i) Exhaust Emission Standards and Test Procedures - 1985 and Subsequent Model Heavy-Duty Engines and Vehicles. Except that California Code of Regulations, Title 13, Section 1956.8 (a)(2)(F) "Transit Agency Diesel-Fueled Bus Engine Exemption Request" must be disregarded and is not incorporated by reference;

(B) Section 1971.1 On-Board Diagnostic System Requirements - 2010 and Subsequent Model-Year Heavy-Duty Engines;

(C) Section 2036 Defects Warranty Requirements for 1979 Through 1989 Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles; 1979 and Subsequent Model Motorcycles and Heavy-Duty Vehicles; and Motor Vehicle Engines Used in Such Vehicles; and 2020 and Subsequent Model Year Trailers;

(D) Section 2121 Penalties;

(E) Section 2137 Vehicle, Engine, and Trailer Selection;

(F) Section 2139 Testing;

(G) Section 2139.5 CARB Authority to Test for Heavy-Duty In-Use Compliance;

(H) Section 2140 Notification and Use of Test Results;

(I) Section 2166 General Provisions;

(J) Section 2166.1 Definitions;

(K) Section 2167 Required Recall and Corrective Action for Failures of Exhaust After Treatment Devices, On-Board Computers or Systems, Urea Dosers, Hydrocarbon Injectors, Exhaust Gas Recirculation Valves, Exhaust Gas Recirculation Coolers, Turbochargers, Fuel Injectors;

(L) Section 2168 Required Corrective Action and Recall for Emission-Related Component Failures;

(M) Section 2169 Required Recall or Corrective Action Plan;

(N) Section 2169.1 Approval and Implementation of Corrective Action Plan;

(O) Section 2169.2 Notification of Owners;

(P) Section 2169.3 Repair Label;

(Q) Section 2169.4 Proof of Correction Certificate;

(R) Section 2169.5 Preliminary Tests;

(S) Section 2169.6 Communication with Repair Personnel;

(T) Section 2169.7 Recordkeeping and Reporting Requirements;

(U) Section 2169.8 Extension of Time;

(V) Section 2423(n) Exhaust Emission Standards and Test Procedures - Off-Road Compression-Ignition Engines; and

(W) Section 2485 Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling.

(iii) Except as provided in WAC 173-423-081(2)(a), e~~E~~ach manufacturer of new 2026 and subsequent model year on-road medium- and heavy-duty engines and trucks and trailers must comply with each of the following applicable standards specified in California Code of Regulations, Title 17 adopted by reference in WAC 173-423-030:

(A) Section 95660 Purpose;

(B) Section 95661 Applicability;

(C) Section 95662 Definitions; and

(D) Section 95663 Greenhouse Gas Exhaust Emission Standards and Test Procedures for New 2014 and Subsequent Model Heavy-Duty Vehicles.

(3) Recalls. Any order issued or enforcement action taken by the California Air Resources Board to correct noncompliance with any section of California Code of Regulations, Title 13, that results in the recall of any vehicle as required under California Code of Regulations, Title 13, sections 2109 - 2135, for a vehicle subject to the requirements adopted by reference in WAC 173-423-030, will be prima facie evidence concerning vehicles registered in Washington. If the manufacturer can demonstrate to ecology's satisfaction that the order or action is not applicable to vehicles registered in Washington, ecology will not pursue a recall of vehicles registered in Washington.

(4) Inspections and Information Requests.

(a) Ecology may inspect new and used motor vehicles and related records for the purposes of determining compliance with the requirements of this section. Ecology inspections will occur during regular business hours on public property or on any premises owned, operated, or used by any truck dealer or truck

rental agency for the purposes of determining compliance with the requirements of this division.

(b) For the purposes of determining compliance with this section, ecology may require any truck dealer or truck rental agency to submit to ecology any documentation that ecology deems necessary to the effective administration and enforcement of this section. This provision does not require creation of new records.

[Statutory Authority: Chapter 70A.30 RCW and RCW 70A.02.060. WSR 25-21-084 (Order 24-07), s 173-423-081, filed 10/16/25, effective 11/16/25. Statutory Authority: RCW 70A.30.010. WSR 23-01-102 (Order 21-12), § 173-423-081, filed 12/19/22, effective 1/19/23.]

WAC 173-423-083 Fleet reporting requirement. (1) Applicability.

(a) Except as provided in subsection (2) of this section, the following entities must submit to ecology all of the information in subsection (3) of this section. Ecology may request this information on an ongoing basis from fleets, but no more than once in a two-year period, beginning with calendar

year 2027. Ecology must publicly announce a reporting requirement at least six months before any individual reporting period occurs. As used in this section, all operations conducted by entities under common ownership or control must be aggregated and considered to be one entity to determine fleet reporting applicability.

(i) Any entity that has gross annual revenues greater than $50,000,000 in the United States for the ~~2022~~ most recent tax year, including revenues from all subsidiaries, subdivisions, or branches, and that operated a facility in Washington ~~in 2022~~ that had one or more vehicles ~~over 8,500 pounds GVWR~~ that operated in Washington in ~~2022~~the reporting year.

(ii) Any fleet owner or operator that owns or operates a facility in Washington and that, in the ~~2022 calendar~~reporting year, owned or operated five or more vehicles with a GVWR greater than 8,500 pounds or twenty-five (25) or more vehicles with a GVWR equal to or less than 8,500 pounds.

(iii) Any broker or entity that, in the ~~2022 calendar~~reporting year, dispatched five or more vehicles with a GVWR greater than 8,500 pounds or twenty-five (25) or more

vehicles with a GVWR equal to or less than 8,500 pounds into or throughout Washington.

(iv) Any Washington government agency, including state and local government, that operated five or more vehicles with a GVWR over 8,500 pounds or twenty-five (25) or more vehicles with a GVWR equal to or less than 8,500 pounds ~~GVWR~~ in Washington in ~~2022~~the reporting year.

(v) Any federal government agency that operated five or more vehicles with a GVWR over 8,500 pounds ~~GVWR~~ or twenty-five (25) or more vehicles with a GVWR equal to or less than 8,500 pounds in Washington in ~~2022~~the reporting year.

(b) The following vehicles are exempt from the reporting requirements in this section:

(i) Vehicles awaiting sale;

(ii) military tactical vehicles; and

(iii) Authorized emergency vehicles.

(2) General requirements.

(a) All entities required to report under this rule must report information to ecology no later than ~~September 30, 2023~~December 31 of the year following the reporting year.

(b) Subsidiaries, parent companies, or joint ventures may independently report information for each vehicle ~~over 8,500 pounds~~. Alternatively, the corporate parent or joint venture business may report on behalf of its subsidiaries, as long as the information for all vehicles ~~over 8,500 pounds~~ is reported for each subsidiary, corporate parent, and joint venture.

~~(c) An entity subject to this subsection and that has brokerage or motor carrier authority, or both, must submit a report, even if no vehicles are owned by the entity.~~

(~~d~~c) Information pertaining to vehicles that are under common ownership or control may be submitted separately by each fleet owner.

(~~e~~d) Entities subject to this subsection may report vehicle data as the fleet was comprised on any date of the entity's choosing, so long as that date falls between January 1~~, 2022,~~ and December 31~~, 2022~~ of the reporting year.

(3) Fleet reporting requirement. An entity required to report under this section must report the information according to the requirements of each provision of this section. The

reporting must include information for each and every operation under common ownership or control.

(a) General information.

(i) Name (i.e., if a business, the registered business name) and all business names that the entity does business as (i.e., all "dba" or "doing business as" names);

(ii) Mailing address including street name or P.O. box, city, state, and zip code;

(iii) Name of the responsible official;

(iv) Responsible official's email address;

(v) Responsible official's phone number;

(vi) Name of corporate parent or governing body, as applicable;

~~(vii) Federal taxpayer identification number of corporate parent or other entities with which the reporting entity has vehicles under common or control~~;

(vii~~i~~) ~~For a government agency, the jurisdiction (federal, state, or local); federal taxpayer identification number;~~ ~~p~~Primary six-digit North American Industry Classification System code;

~~(viiiix) For a nongovernmental entity, the total annual revenue for the entity in the United States for 2022;~~

~~(x) Broker authority under the Federal Motor Carrier Safety Administration;~~

~~(xix) The operating authority numbers, including motor carrier identification number, United States Department of Transportation number, and International Registration Plan number~~;

~~(xii) The number of entities with whom the reporting entity had a contract to deliver items or to perform work in Washington using vehicles over 8,500 pounds GVWR in 2022~~;

(~~xiii~~viii) The estimated number of ~~subhaulers,~~ vehicles operated by subhaulers or contractors~~, and the number of vehicles operated by subhaulers that operated under the reporting entity's motor carrier authority~~; and

(~~xii~~ix) The number of vehicles ~~with a GVWR over 8,500 pounds~~ the reporting entity owned and operated in Washington in ~~2022~~ the reporting year that do not have a vehicle home base in Washington.

(b) Vehicle home base. An entity required to report under this section must report general information about the vehicle home base. Vehicles that accrue a majority of their annual miles in Washington but are not assigned to a particular location in Washington must be reported as part of a variable home base~~as part of the entity's headquarters or the location where the vehicles' operation is managed~~. The entity must report for each vehicle home base:

(i) Facility address including street name, city, state, and zip code;

(ii) Facility type category, using one of the following categories:

(A) Administrative/office building;

(B) Distribution center/warehouse;

(C) Hotel/motel/resort;

(D) Manufacturer/factory/plant;

(E) Medical/hospital/care;

(F) Multibuilding campus/base;

(G) Restaurant;

(H) Service center;

(I) Store;

(J) Truck/equipment yard; and

(K) Any other facility type;

(iii) Name of responsible official;

(iv) Responsible official's email address;

(v) Whether the facility is owned or leased by the entity;

~~(vi) What type of fueling infrastructure is installed at the facility;~~

~~(vii) Whether the refueling infrastructure at the facility was initially installed on or after January 1, 2010; and~~

~~(viii) The types of trailers the reporting entity pulls, if it has tractors assigned or domiciled at this facility.~~

(c) For each vehicle home base, an entity may report the information grouped by vehicle body type, and weight class bins and fuel type. An entity may complete responses for each individual vehicle and include the vehicle's body type, weight class bin, and fuel type. If applicable, an entity must separately report vehicles dispatched under their brokerage authority. When responding, each vehicle must only be counted once for each response. An entity must report:

(i) Number of vehicles in each vehicle group;

(ii) Range of model years for each vehicle group;

~~(ii) Model year of the vehicle and engine for each reported vehicle;~~

(iii~~i~~) The percent of the vehicles in each vehicle group with operating characteristics including, but not limited to: Daily mileage, usage patterns, ~~refueling, trailer towing,~~ and other such characteristics as specified by ecology. The term "usage pattern" shall include:

(A) Average number of trips per day;

(B) Typical destination points for vehicles within each group;

~~(C) Locations where trucks are parked for two hours or more per day, if different from the vehicle home base;~~

(iv~~iiv~~) The average annual mileage for a typical vehicle in this vehicle group;

(~~i~~v) The average length of time a typical vehicle in this vehicle group is retained by the reporting entity after acquisition;

~~(vi) Whether the reporting entity is the fleet owner for this group of vehicles, or if they are dispatched under the reporting entity's brokerage authority;~~ and

(v~~i~~iii) The start and end date of the analysis period selected by the reporting entity as required under (d) of this subsection.

(d) An entity must choose a period of time, for example annual or quarterly data averaged for work days during the period selected to determine responses. For example, if an entity selects annual data to determine vehicle daily mileage, the entity must average the annual mileage accrued based on the number of work days that year.

(i) A shorter analysis period may be used if the reporting entity deems it more representative of periods of high vehicle utilization when answering questions about typical daily operation. For example, if a reporting entity with seasonal workload fluctuations determines that a week or month during the busy season is representative, average the data records for that week or month when determining a response.

(ii) If an alternative analysis period is used, the reporting entity must be prepared to describe their reasoning at the request of ecology.

(e) For information reported for a vehicle group at one location, a reporting entity may repeat that information for the same vehicle group at another vehicle home base if the reporting entity determines that the operation at the second location is substantially similar to that at the first location.

(f) A broker must provide information about vehicle usage that is dispatched under contract, such as if a broker hires a truck to move a load, only the miles driven under that contract are required for the response. If known, the broker may voluntarily report information about the miles driven outside the contract.

(4) Fleet reporting recordkeeping.

(a) An entity required to report must maintain all of the following records related to the reporting for five years after the reporting deadline:

(i) For owned on-road vehicles, mileage records and dates from records, such as maintenance logs, vehicle logs, or

odometer readings, or other records with the information that the reporting entity used to prepare the information the entity submitted;

(ii) For on-road vehicles not owned, but dispatched by the entity, dispatch records and dates, contracts, or other records with the information that the reporting entity used to prepare the information the entity submitted;

(iii) Vehicle registration for each owned vehicle operated in Washington; and

(iv) Contracts with entities, or contracts with subhaulers, or other records with the information that the reporting entity used to prepare the information the entity submitted.

(b) An entity subject to this section must respond to requests for clarification of reported information within 14 days of receiving the request from ecology.

[Statutory Authority: RCW 70A.30.010. WSR 23-01-102 (Order 21-12), § 173-423-083, filed 12/19/22, effective 1/19/23.]

WAC 173-423-130 Inspections and information requests.

(1) Ecology may inspect new and used motor vehicles and related records for the purposes of determining compliance with the requirements of this chapter. Ecology inspections must occur during regular business hours and on any premises owned, operated or used by any dealer or rental car agency.

(2) For the purposes of determining compliance with this chapter, ecology may require a vehicle dealer or rental car agency to submit documentation ecology deems necessary to the effective administration and enforcement of this chapter. This provision does not require creation of new records.
[Statutory Authority: RCW 70A.30.010. WSR 23-01-102 (Order 21-12), § 173-423-130, filed 12/19/22, effective 1/19/23. Statutory Authority: Chapter 173-423 WAC, chapter 70A.30 RCW, chapter 173-400 WAC, chapter 70A.15 RCW. WSR 21-24-059 (Order 21-04), § 173-423-130, filed 11/29/21, effective 12/30/21. Statutory Authority: RCW 70.120A.010. WSR 05-24-044, § 173-423-130, filed 11/30/05, effective 12/31/05.]

WAC 173-423-150 Severability. Each portion of this regulation is intended to be severable, and in the event that any portion of this regulation is held invalid, the remainder is intended to continue in full force and effect.

[Statutory Authority: Chapter 173-423 WAC, chapter 70A.30 RCW, chapter 173-400 WAC, chapter 70A.15 RCW. WSR 21-24-059 (Order 21-04), § 173-423-150, filed 11/29/21, effective 12/30/21. Statutory Authority: RCW 70.120A.010. WSR 05-24-044, § 173-423-150, filed 11/30/05, effective 12/31/05.]