RIVIAN

Department of Ecology
State of Washington
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SUBMITTED ELECTRONICALLY TO:
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Re: ZEVergreen State Dialogue Sessions

Rivian Automotive, LLC, ("Rivian") thanks the state of Washington for its continued leadership in growing the ZEV market. We appreciate the ZEVergreen initiative as an opportunity for stakeholders and policymakers to come together in redoubled support of the state's goals, and to identify public policies that can strengthen the state's hand while spurring greater investment in the ZEV market.

Reflecting on the recent listening session, below we identify several actionable solutions for consideration by Washington's policymakers. These solutions focus on:

- Removing barriers to ZEV sales and use;
- Making ZEVs more affordable; and,
- Maximizing use of existing state authority.

Now more than ever, state action is vitally important. We hope you find these recommendations helpful and look forward to continued dialogue and partnership in realizing the state's objectives.

About Rivian

Founded in 2009, Rivian is an independent U.S. company. With over 14,000 employees across the globe, Rivian's mission is to Keep the World Adventurous Forever. Rivian's focus is the design, development, manufacture, and distribution of all-electric adventure vehicles, specifically pickups, sport utility vehicles ("SUVs"), and commercial vans.

Rivian brought the first modern electric pickup to market in 2021 when we launched the **R1T**, followed shortly thereafter by the **R1S** SUV and the EDV commercial van for Amazon. The **R1T** and **R1S** provide all-electric options in segments where added utility is a necessity. The **R1T** has an EPA-certified range of up to 420 miles. The **R1S** is certified at up to 410 miles. The truck also features 11,000lbs of towing capacity, while the **R1S** is a seven-passenger full-sized SUV. Both are well-equipped for off-roading in a range of climates. Separately, our Class 2b commercial vans eliminate tailpipe emissions from last-mile delivery. Rivian is committed to producing 100,000 vans for our launch customer, Amazon, with more than 20,000 already in service in 800+ U.S. cities. The van is now also available for purchase by other fleets. Beyond our vehicle lineup, Rivian is also building a network of DC fast chargers across the country known as the Rivian Adventure Network ("RAN"), including several sites across Washington.

Removing Barriers

Allow Direct-to-Consumer Sales

To meet Washington's goals, it is critical that the state remove barriers to EV sales. Rivian strongly recommends that Washington allow direct-to-consumer sales, a proven policy that accelerates EV sales without requiring new state funding or playing any additional burden on taxpayers..

Under current Washington state law, motor vehicle manufacturers, including those dedicated solely to producing EVs, are prohibited from selling directly to consumers. With the exception of Tesla, all manufacturers must adopt the franchised dealer model to engage with buyers. Allowing manufacturers that produce only zero-emission vehicles (ZEVs) to sell directly to consumers would help accelerate ZEV adoption by removing barriers in the purchasing process.

Rivian sells all its vehicles, for both consumers and fleets, through a direct sales model. Rivian chose to sell directly because the transparency benefits our customers and because it presents the best opportunity for our success as a new EV company. Introducing our new brand to the world requires innovation in vehicle technology *and* the distribution process. A direct-to-consumer sales model allows us to keep costs down while maintaining high and consistent standards for sales and service across our footprint.

In states like Washington, our vehicles can only be sold online from a licensed Rivian location out of the state, creating confusion and complexity for potential buyers. These issues span the entire customer purchasing experience. While we have four education centers located in the state, they may not operate as showrooms in the way that consumers expect: due to existing state law we are limited in our ability to provide test drive experiences or to speak with potential buyers about vehicle cost. Purchases must take place online rather than in a physical location. After purchase, customers face additional hurdles such as arranging for title transfer outside the state, processing registration and title themselves, and potentially having to travel out of state to pick up their Rivian vehicle. These hurdles discourage Washington residents from purchasing EVs and positions the state as a laggard on both transportation innovation and consumer choice. Ultimately, allowing direct sales levels the playing field and lets the consumer decide how they want to buy their car.

Not only does the status quo fail to serve Washingtonians, it puts obstacles in the state's path as it works to achieve its goals. Permitting and regulating direct sales by direct-to-consumer EV-only manufacturers will support EV sales. A 2022 study found that allowing EV-only manufacturers to sell directly could increase EV adoption by as much as 13 percent between 2023 and 2030.[1] Evidence from other states that do permit direct sales supports this finding, showing higher rates of ZEV adoption where direct sales are allowed.

Accelerating EV adoption drives other significant benefits for the state: it accelerates job growth in the clean energy sector and reduces air pollution. Allowing direct sales is one of the most straightforward, cost-free policies available to the state to speed the transition to electric vehicles.

[1] James Di Filippo and Tom Taylor, Atlas Public Policy, *Estimating the Impacts of Direct-to-Consumer Electric Vehicle Sales*, September 2022, available at https://atlaspolicy.com/wp-content/uploads/2022/09/direct-sales-report.pdf.

Maximizing Use of Existing Authority

Conduct initial scoping work on alternative policy frameworks that can reduce transportation emissions. Washington has an opportunity to reconsider additional tools for cutting pollution, and spurring EV demand, from the transportation sector. These could include:

- Advanced Clean Fleet-style stock requirements for state and local governments;
- Revenue-neutral fees and rebates to encourage uptake of low-emission medium- and heavy-duty vehicles;
- low or zero-emission zones, to the extent permissible by federal law; and,
- indirect source rules that create demand-side pressure in the MD and HD markets for cleaner vehicle options.[2]

At the same time, because California retains strong authority we recommend Ecology work closely with CARB as part of its new Drive Forward initiative to begin development of revised tailpipe emissions standards for greenhouse gas and criteria emissions.

Leverage state agency-owned properties to scale and expedite the roll out of charging infrastructure. Agencies with properties statewide, such as the Department of Transportation, have the potential to scale and expedite charging infrastructure deployment by streamlining current permitting processes in their right-of-way, assessing and communicating property grid capacity, and even issuing an RFP for third-party infrastructure deployment at priority locations on state property (for example, DMV offices or other publicly accessible facilities).

Establish interstate cooperative agreements for the rapid procurement of zero-emission LD, MD, and HD vehicles for the state fleet. These agreements would streamline purchasing for Washington agencies and other public entities–enabling larger contracts and lower prices through collective buying power. This improves

[2] We acknowledge that ECY might require additional legislative direction to fully pursue new policies, but initial scoping work and concept development could begin now.

cost-efficiency, reduces administrative burden, and generates state revenue through procurement fees, while accelerating public sector EV adoption.

Making EVs More Affordable

Expand Point-of-Sale EV Rebates to Replace Lost Federal Tax Credits

We understand that the State of Washington faces significant fiscal challenges in the upcoming legislative session. However, incentives are time-tested tools that grow the market for new technologies. The recent loss of lucrative federal tax credits, known as 30D and 45W, will undoubtedly dampen demand for EVs in the coming months, just as a number of other major regulatory changes have shaken market and investor confidence in this sector.

Washington can take action to fill the hole by replacing the federal tax credits with a refreshed commitment to expand state EV purchase incentives in the state. A broadly accessible rebate without income restrictions at the point of sale would shore up demand for automakers and charging network providers while making EVs more affordable for everyday Washington car buyers.

Qualifiers like thoughtful MSRP or sales volume caps could be explored in support of parallel policy priorities and to bound the fiscal impact of an incentive program. Incentivizing leases as well as sales would be a smart addition to encourage the rapid resale of EVs into used vehicle markets.

Conclusion

Thank you for your leadership and support of clean transportation. We hope the recommendations outlined above provide practical, high-impact solutions that the state can implement to support continued EV sales, attract private investment in clean infrastructure, and cut emissions, even in the midst of new regulatory uncertainty and market turbulence. With bold state action and strong industry collaboration, Washington is in a very strong position to drive innovation, expand economic opportunity, and build a cleaner, more resilient future for all.

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