

08/03/2026

Gopika Patwa
Department of Ecology
Climate Pollution Reduction Program
PO Box 47600, Olympia WA 98504-7600

Subject: Comments on Proposed Amendments to Chapter 173-423 WAC – Clean Vehicles Program Rule

Dear Gopika Patwa,

On behalf of the Public Utility District No.2 of Grant County (Grant PUD), thank you for the opportunity to comment on the Washington State Department of Ecology's proposed amendments to Chapter 173-423 WAC, the Clean Vehicles Program rule.

Grant PUD supports the State's efforts to reduce transportation emissions and recognizes the importance of maintaining alignment with California Air Resources Board (CARB) standards. At the same time, we respectfully request that Ecology adopt a clear and explicit exemption or compliance pathway, consistent with California's regulatory framework, for utility vehicles engaged in emergency response and critical infrastructure operations.

Need for a Utility Vehicle Exemption

Utility vehicles, particularly those operated by public utilities, perform essential public safety and service-restoration functions that differ from ordinary fleet operations. California's AB 1594 provides a useful model for addressing these circumstances by requiring zero-emission vehicle procurement regulations to authorize public agency utilities to purchase replacements for traditional utility-specialized vehicles that are at the end of life when needed to maintain reliable service and respond to major foreseeable events, including severe weather, wildfires, natural disasters, and physical attacks.

Grant PUD recommends that Ecology adopt a similar exemption or compliance pathway in Chapter 173-423 WAC for public utility vehicles. The provision should apply to traditional utility-specialized medium- and heavy-duty vehicles that are necessary for emergency response, outage restoration, mutual aid, wildfire mitigation, storm response, and maintenance of critical electric infrastructure. This approach would not create a broad

categorical exemption for all utility vehicles; rather, it would provide targeted procurement and compliance flexibility for specialized vehicles where zero-emission alternatives do not yet meet the utility's operational, performance, range, payload, terrain, or emergency-response requirements.

Operational and Public Safety Considerations

Utility fleet operations are fundamentally distinct from typical commercial or passenger vehicle use. Public power utilities must maintain the ability to deploy specialized vehicles rapidly and without constraint during emergency conditions. Imposing standard emissions compliance timelines or operational restrictions on these vehicles without appropriate exemptions risks impairing response capabilities and delaying service restoration during critical events.

California's broader heavy-duty vehicle framework includes targeted provisions for emergency vehicles and emergency operations, reflecting the policy principle that public safety and system reliability require practical compliance flexibility. Washington should incorporate a similar approach for specialized public utility vehicles whose operational requirements differ from ordinary fleet use.

A recent severe thunderstorm in the State illustrates why this flexibility is essential. After high winds, lightning, blowing dust, and rain moved through the Columbia Basin on a Thursday evening in May this year, Grant PUD was inundated with outage reports. By 6 a.m. the next morning, at least 6,000 customers, roughly 11% of the district, were without power, primarily in central Grant County, and the Coulee City area was later added when a transmission line feeding a local substation lost power. Crews immediately mobilized in difficult post-storm conditions, responding to downed lines, damaged equipment, blocked roads, and widespread public safety hazards. Within hours, service had been restored to many locations, reducing the outage count to approximately 2,500 meters by 8 a.m. The balance of those meters had restored power in the next 24 to 48 hours while crews worked tirelessly through the night.

This rapid response was possible because Grant PUD could deploy reliable specialized vehicles and equipment needed for emergency system restoration without delay. Without an appropriate exemption or compliance pathway, Grant PUD could be required to use vehicles that cannot yet meet the range, payload, terrain, charging, and continuous duty demands of emergency restoration work. That could force crews to delay deployment or interrupt restoration activities to recharge or reposition equipment, costing critical time when customers are without power and public safety hazards remain unresolved.

This concern extends beyond support vehicles with limited range or payload. For certain specialized equipment in Grant PUD's fleet, such as digger derricks and mobile on-road

cranes, full battery-electric versions are not commercially available and not capable of supporting hydraulic power, continuous duty cycles, lifting capacity, and field reliability required for utility restoration work. Even where electric chassis options are available for some functions, they can cost several times more than a standard internal-combustion chassis, before accounting for charging infrastructure and operational modifications. As a public utility, Grant PUD has an obligation to be a careful steward of public funds, and those acquisition costs can be difficult to reconcile with existing budgets when the vehicle may still fall short of emergency-response requirements.

Recent CARB rulemaking materials also recognize the need for distinct treatment of emergency vehicles. In its September 23, 2025 rulemaking package for the On-Road Heavy-Duty Engine and Vehicle Omnibus regulation and related rules, CARB proposed to permanently adopt Emergency Vehicle Emissions Regulations, including an Appendix G supplement addressing those provisions.

These materials reinforce the importance of distinct regulatory treatment for emergency-response vehicles and support the broader policy principle that emissions requirements should not impair the availability of vehicles needed to protect public welfare and maintain essential infrastructure.

Alignment with CARB and Policy Balance

Washington's Clean Vehicles Program is premised on maintaining consistency with California standards under RCW 70A.30.010, which requires the Department of Ecology to amend the rules to maintain that consistency with the California motor vehicle standards and Section 177 of the federal Clean Air Act. In that spirit, Grant PUD encourages Ecology to incorporate an AB 1594-style utility provision that preserves alignment with California and ensures that public utilities can maintain reliable service during emergencies and other major foreseeable events. Such a provision would support the State's emissions-reduction goals while recognizing that certain specialized utility vehicles must remain available where no zero-emission vehicle can yet satisfy the operational needs of emergency response, service restoration, and critical infrastructure protection.

The exemption or compliance pathway reflected in California's framework balances environmental and operational objectives. While emissions reductions remain a central policy goal, California has recognized that certain categories of vehicles, particularly those essential to emergency response and infrastructure resilience, require targeted operational flexibility. By grounding flexibility in defined vehicle categories and limiting it to specific use cases, Washington can preserve regulatory integrity while ensuring practical implementation.

Recommended Approach

To ensure consistency with CARB and to avoid unintended impacts on public safety and utility operations, Grant PUD recommends that Ecology:

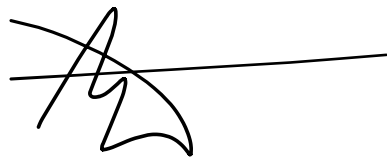
- Adopt an AB 1594-style exemption or compliance pathway for public agency utilities, including public utility districts, local publicly owned electric utilities, and other publicly owned utility providers;
- Authorize public utilities to purchase replacements for traditional utility-specialized medium- and heavy-duty vehicles that are at the end of life when needed to maintain reliable service, support mutual aid, and respond to major foreseeable events, including severe weather, wildfires, natural disasters, and physical attacks; and
- Allow public utilities to demonstrate vehicle need and feasibility using fleet usage data for comparable vehicle classes, including high-use emergency and restoration days, rather than evaluation methods that understate the demands placed on specialized utility vehicles.

Conclusion

Utility vehicles play a vital role in protecting public safety, maintaining critical infrastructure, and ensuring reliable delivery of essential services. Ecology's rulemaking presents an important opportunity to ensure that these vehicles are treated consistently with California's established framework while preserving the operational flexibility necessary during emergencies and system disruptions.

We appreciate Ecology's consideration of these comments and welcome continued engagement on this issue.

Sincerely,

A handwritten signature in black ink, appearing to be 'MH' with a long horizontal line extending to the right.

Matthew Harris
Senior Policy Analyst
Grant Public Utility District