



## Biofuels Statutory Citations

### STATE OF WASHINGTON

*This project was undertaken in partnership with the USDA Office of the Chief Economist, The Office of Energy Policy and New Uses. For information on the full project, visit [States' Biofuels Statutory Citations](#). These statutes are placed in reverse chronological order using the date of the most recent amendment to the statute. Many biofuels laws were enacted as amendments to previously passed laws.*

*Current through the 2013 Legislative Session of the Washington General Assembly.*

#### **43.325.001. Findings--2006 c 171 (Expires June 30, 2016)**

The legislature finds that:

- (1) Washington's dependence on energy supplied from outside the state and volatile global energy markets makes its economy and citizens vulnerable to unpredictable and high energy prices;
- (2) Washington's dependence on petroleum-based fuels increases energy costs for citizens and businesses;
- (3) Diesel soot from diesel engines ranks as the highest toxic air pollutant in Washington, leading to hundreds of premature deaths and increasing rates of asthma and other lung diseases;
- (4) The use of biodiesel results in significantly less air pollution than traditional diesel fuels;
- (5) Improper disposal and treatment of organic waste from farms and livestock operations can have a significant negative impact on water quality;
- (6) Washington has abundant supplies of organic wastes from farms that can be used for energy production and abundant farmland where crops could be grown to supplement or supplant petroleum-based fuels;
- (7) The use of energy and fuel derived from these sources can help citizens and businesses conserve energy and reduce the use of petroleum-based fuels, would improve air and water quality in Washington, reduce environmental risks from farm wastes, create new markets for farm products, and provide new industries and jobs for Washington citizens;
- (8) The bioenergy industry is a new and developing industry that is, in part, limited by the availability of capital for the construction of facilities for converting farm and forest products into energy and fuels;
- (9) Instead of leaving our economy at the mercy of global events, and the policies of foreign nations, Washington state should adopt a policy of energy independence; and

(10) The energy freedom program is meant to lead Washington state towards energy independence.

Therefore, the legislature finds that it is in the public interest to encourage the rapid adoption and use of bioenergy, to develop a viable bioenergy industry within Washington state, to promote public research and development in bioenergy sources and markets, and to support a viable agriculture industry to grow bioenergy crops. To accomplish this, the energy freedom program is established to promote public research and development in bioenergy, and to stimulate the construction of facilities in Washington to generate energy from farm sources or convert organic matter into fuels.

**Credits** [2006 c 171 § 1, eff. June 7, 2006. Formerly [RCW 15.110.005](#).]

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#### **43.325.005. Findings--2007 c 348**

(1) The legislature finds that excessive dependence on fossil fuels jeopardizes Washington's economic security, environmental integrity, and public health. Accelerated development and use of clean fuels and clean vehicle technologies will reduce the drain on Washington's economy from importing fossil fuels. As fossil fuel prices rise, clean fuels and vehicles can save consumers money while promoting the development of a major, sustainable industry that provides good jobs and a new source of rural prosperity. In addition, clean fuels and vehicles protect public health by reducing toxic air and climate change emissions.

(2) The legislature also finds that climate change is expected to have significant impacts in the Pacific Northwest region in the near and long-term future. These impacts include: Increased temperatures, declining snowpack, more frequent heavy rainfall and flooding, receding glaciers, rising sea levels, increased risks to public health due to insect and rodent-borne diseases, declining salmon populations, and increased drought and risk of forest fires. The legislature recognizes the need at this time to continue to gather and analyze information related to climate protection. This analysis will allow prudent steps to be taken to avoid, mitigate, or respond to climate impacts and protect our communities.

(3) Finally, the legislature finds that to reduce fossil fuel dependence, build our clean energy economy, and reduce climate impacts, the state should develop policies and incentives that help businesses, consumers, and farmers gain greater access to affordable clean fuels and vehicles and to produce clean fuels in the state. These policies and incentives should include: Incentives for replacement of the most polluting diesel engines, especially in school buses; transitional incentives for development of the most promising in-state clean fuels and fuel feedstocks, including biodiesel crops, ethanol from plant waste, and liquid natural gas from landfill or wastewater treatment gases; reduced fossil fuel consumption by state fleets; development of promising new technologies for displacing petroleum with electricity, such as "plug-in hybrids"; and impact analysis and emission accounting procedures that prepare Washington to respond and prosper as climate change impacts occur, and as policies and markets to reduce climate pollution are developed.

**Credits** [2007 c 348 § 1, eff. July 22, 2007.]

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#### **43.325.010. Definitions (Expires June 30, 2016)**

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) “Alternative fuel” means all products or energy sources used to propel motor vehicles, other than conventional gasoline, diesel, or reformulated gasoline. “Alternative fuel” includes, but is not limited to, cellulose, liquefied petroleum gas, liquefied natural gas, compressed natural gas, biofuels, biodiesel fuel, E85 motor fuel, fuels containing seventy percent or more by volume of alcohol fuel, fuels that are derived from biomass, hydrogen fuel, anhydrous ammonia fuel, nonhazardous motor fuel, or electricity, excluding onboard electric generation.

(2) “Applicant” means the state and any political subdivision of the state, including port districts, counties, cities, towns, special purpose districts, and other municipal corporations or quasi-municipal corporations. “Applicant” may also include federally recognized tribes, state institutions of higher education with appropriate research capabilities, any organization described in [section 501\(c\)\(3\) of the internal revenue code](#), and private entities that are eligible to receive federal funds.

(3) “Assistance” includes loans, leases, product purchases, or other forms of financial or technical assistance.

(4) “Biofuel” includes, but is not limited to, biodiesel, ethanol, and ethanol blend fuels and renewable liquid natural gas or liquid compressed natural gas made from biogas.

(5) “Biogas” includes waste gases derived from landfills and wastewater treatment plants and dairy and farm wastes.

(6) “Cellulose” means lignocellulosic, hemicellulosic, or other cellulosic matter that is available on a renewable or recurring basis, including dedicated energy crops and trees, wood and wood residues, plants, grasses, agricultural residues, fibers, animal wastes and other waste materials, and municipal solid waste.

(7) “Coordinator” means the person appointed by the director of the department of commerce.

(8) “Department” means the department of commerce.

(9) “Director” means the director of the department of commerce.

(10) “Energy efficiency improvement” means an installation or modification that is designed to reduce energy consumption. The term includes, but is not limited to: Insulation; storm windows and doors; automatic energy control systems; energy efficiency audits; heating, ventilating, or air conditioning and distribution system modifications or replacements in buildings or central plants; caulking and weather stripping; energy recovery systems; geothermal heat pumps; and day lighting systems.

(11) “Green highway zone” means an area in the state designated by the department that is within reasonable proximity of state route number 5, state route number 90, and state route number 82.

(12) “Innovative energy technology” means, but is not limited to, the following: Smart grid or smart metering; biogas from landfills, wastewater treatment plants, anaerobic digesters, or other processes; wave or tidal power; fuel cells; high efficiency cogeneration; and energy storage systems.

(13) “Peer review committee” means a board, appointed by the director, that includes bioenergy specialists, energy conservation specialists, scientists, and individuals with specific recognized expertise.

(14) “Project” includes: (a) The construction of facilities, including the purchase of equipment, to convert farm products or wastes into electricity or gaseous or liquid fuels or other coproducts associated with such conversion; (b) clean energy projects identified by the clean energy leadership council, created in section 2, chapter 318, Laws of 2009; and (c) energy efficiency improvements, renewable energy improvements, or innovative energy technologies. These specifically include fixed or mobile facilities to generate electricity or methane from the anaerobic digestion of organic matter, and fixed or mobile facilities for extracting oils from canola, rape, mustard, and other oilseeds. “Project” may also include the construction of facilities associated with such conversion for the distribution and storage of such feedstocks and fuels. The definition of project does not apply to projects as described in [RCW 43.325.020\(5\)](#).

(15) “Renewable energy improvements” means a fixture, product, system, device, or interacting group of devices that produces energy from renewable resources. The term includes, but is not limited to: Photovoltaic systems; solar thermal systems; small wind systems; biomass systems; and geothermal systems.

(16) “Refueling project” means the construction of new alternative fuel refueling facilities, as well as upgrades and expansion of existing refueling facilities, that will enable these facilities to offer alternative fuels to the public.

(17) “Research and development project” means research and development, by an institution of higher education as defined in subsection (2) of this section, relating to:

(a) Bioenergy sources including but not limited to biomass and associated gases; or

(b) The development of markets for bioenergy coproducts.

**Credits** [[2009 c 565 § 41](#), eff. July 26, 2009; [2009 c 451 § 2](#), eff. May 11, 2009; [2007 c 348 § 301](#), eff. July 1, 2007; [2006 c 171 § 2](#), eff. June 7, 2006. Formerly [RCW 15.110.010](#).]

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#### **43.325.020. Energy freedom program--Established (Expires June 30, 2016)**

(1) The energy freedom program is established within the department. The director may establish policies and procedures necessary for processing, reviewing, and approving applications made under this chapter.

(2) When reviewing applications submitted under this program, the director shall consult with those

agencies and other public entities having expertise and knowledge to assess the technical and business feasibility of the project and probability of success. These agencies may include, but are not limited to, Washington State University, the University of Washington, the department of ecology, the department of natural resources, the department of agriculture, the \*department of general administration, local clean air authorities, the Washington state conservation commission, and the clean energy leadership council created in section 2, chapter 318, Laws of 2009.

(3) Except as provided in subsections (4) and (5) of this section, the director, in cooperation with the department of agriculture, may approve an application only if the director finds:

(a) The project will convert farm products, wastes, cellulose, or biogas directly into electricity or biofuel or other coproducts associated with such conversion;

(b) The project demonstrates technical feasibility and directly assists in moving a commercially viable project into the marketplace for use by Washington state citizens;

(c) The facility will produce long-term economic benefits to the state, a region of the state, or a particular community in the state;

(d) The project does not require continuing state support;

(e) The assistance will result in new jobs, job retention, or higher incomes for citizens of the state;

(f) The state is provided an option under the assistance agreement to purchase a portion of the fuel or feedstock to be produced by the project, exercisable by the \*department of general administration;

(g) The project will increase energy independence or diversity for the state;

(h) The project will use feedstocks produced in the state, if feasible, except this criterion does not apply to the construction of facilities used to distribute and store fuels that are produced from farm products or wastes;

(i) Any product produced by the project will be suitable for its intended use, will meet accepted national or state standards, and will be stored and distributed in a safe and environmentally sound manner;

(j) The application provides for adequate reporting or disclosure of financial and employment data to the director, and permits the director to require an annual or other periodic audit of the project books; and

(k) For research and development projects, the application has been independently reviewed by a peer review committee as defined in [RCW 43.325.010](#) and the findings delivered to the director.

(4) When reviewing an application for a refueling project, the coordinator may award a grant or a loan to an applicant if the director finds:

(a) The project will offer alternative fuels to the motoring public;

- (b) The project does not require continued state support;
  - (c) The project is located within a green highway zone as defined in [RCW 43.325.010](#);
  - (d) The project will contribute towards an efficient and adequately spaced alternative fuel refueling network along the green highways designated in [RCW 47.17.020](#), [47.17.135](#), and [47.17.140](#); and
  - (e) The project will result in increased access to alternative fueling infrastructure for the motoring public along the green highways designated in [RCW 47.17.020](#), [47.17.135](#), and [47.17.140](#).
- (5) When reviewing an application for energy efficiency improvements, renewable energy improvements, or innovative energy technology, the director may award a grant or a loan to an applicant if the director finds:
- (a) The project or program will result in increased access for the public, state and local governments, and businesses to energy efficiency improvements, renewable energy improvements, or innovative energy technologies;
  - (b) The project or program demonstrates technical feasibility and directly assists in moving a commercially viable project into the marketplace for use by Washington state citizens;
  - (c) The project or program does not require continued state support; or
  - (d) The federal government has provided funds with a limited time frame for use for energy independence and security, energy efficiency, renewable energy, innovative energy technologies, or conservation.
- (6)(a) The director may approve a project application for assistance under subsection (3) of this section up to five million dollars. In no circumstances shall this assistance constitute more than fifty percent of the total project cost.
- (b) The director may approve a refueling project application for a grant or a loan under subsection (4) of this section up to fifty thousand dollars. In no circumstances shall a grant or a loan award constitute more than fifty percent of the total project cost.
- (7) The director shall enter into agreements with approved applicants to fix the terms and rates of the assistance to minimize the costs to the applicants, and to encourage establishment of a viable bioenergy or biofuel industry, or a viable energy efficiency, renewable energy, or innovative energy technology industry. The agreement shall include provisions to protect the state's investment, including a requirement that a successful applicant enter into contracts with any partners that may be involved in the use of any assistance provided under this program, including services, facilities, infrastructure, or equipment. Contracts with any partners shall become part of the application record.
- (8) The director may defer any payments for up to twenty-four months or until the project starts to receive revenue from operations, whichever is sooner.

**Credits** [2009 c 451 § 3, eff. May 11, 2009; 2007 c 348 § 302, eff. July 1, 2007; 2006 c 171 § 3, eff. June 7, 2006. Formerly [RCW 15.110.020](#).]

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### **43.325.030. Coordinator--Duties**

The director of the department shall appoint a coordinator that is responsible for:

- (1) Managing, directing, inventorying, and coordinating state efforts to promote, develop, and encourage biofuel and energy efficiency, renewable energy, and innovative energy technology markets in Washington;
- (2) Developing, coordinating, and overseeing the implementation of a plan, or series of plans, for the production, transport, distribution, and delivery of biofuels produced predominantly from recycled products or Washington feedstocks;
- (3) Working with the departments of transportation and \*general administration, and other applicable state and local governmental entities and the private sector, to ensure the development of biofuel fueling stations for use by state and local governmental motor vehicle fleets, and to provide greater availability of public biofuel fueling stations for use by state and local governmental motor vehicle fleets;
- (4) Coordinating with the Western Washington University alternative automobile program for opportunities to support new Washington state technology for conversion of fossil fuel fleets to biofuel, hybrid, or alternative fuel propulsion;
- (5) Coordinating with the University of Washington's college of forest management and the Olympic natural resources center for the identification of barriers to using the state's forest resources for fuel production, including the economic and transportation barriers of physically bringing forest biomass to the market;
- (6) Coordinating with the department of agriculture and Washington State University for the identification of other barriers for future biofuels development and development of strategies for furthering the penetration of the Washington state fossil fuel market with Washington produced biofuels, particularly among public entities.

**Credits** [2009 c 451 § 4, eff. May 11, 2009; 2007 c 348 § 205, eff. July 1, 2007.]

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### **43.325.040. Energy freedom account--Green energy incentive account--Energy recovery act account (Expires June 30, 2016)**

- (1) The energy freedom account is created in the state treasury. All receipts from appropriations made to the account and any loan payments of principal and interest derived from loans made under the energy freedom account must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for financial assistance for further

funding for projects consistent with this chapter or otherwise authorized by the legislature.

(2) The green energy incentive account is created in the state treasury as a subaccount of the energy freedom account. All receipts from appropriations made to the green energy incentive account shall be deposited into the account, and may be spent only after appropriation. Expenditures from the account may be used only for:

(a) Refueling projects awarded under this chapter;

(b) Pilot projects for plug-in hybrids, including grants provided for the electrification program set forth in [RCW 43.325.110](#); and

(c) Demonstration projects developed with state universities as defined in [RCW 28B.10.016](#) and local governments that result in the design and building of a hydrogen vehicle fueling station.

(3)(a) The energy recovery act account is created in the state treasury. State and federal funds may be deposited into the account and any loan payments of principal and interest derived from loans made from the energy recovery act account must be deposited into the account. Moneys in the account may be spent only after appropriation.

(b) Expenditures from the account may be used only for loans, loan guarantees, and grants that encourage the establishment of innovative and sustainable industries for renewable energy and energy efficiency technology, including but not limited to:

(i) Renewable energy projects or programs that require interim financing to complete project development and implementation;

(ii) Companies with innovative, near-commercial or commercial, clean energy technology; and

(iii) Energy efficiency technologies that have a viable repayment stream from reduced utility costs.

(c) The director shall establish policies and procedures for processing, reviewing, and approving applications for funding under this section. When developing these policies and procedures, the department must consider the clean energy leadership strategy developed under section 2, chapter 318, Laws of 2009.

(d) The director shall enter into agreements with approved applicants to fix the term and rates of funding provided from this account.

(e) The policies and procedures of this subsection (3) do not apply to assistance awarded for projects under [RCW 43.325.020\(3\)](#).

(4) Any state agency receiving funding from the energy freedom account is prohibited from retaining greater than three percent of any funding provided from the energy freedom account for administrative overhead or other deductions not directly associated with conducting the research, projects, or other end products that the funding is designed to produce unless this provision is waived in writing by the director.



(5) Any university, institute, or other entity that is not a state agency receiving funding from the energy freedom account is prohibited from retaining greater than fifteen percent of any funding provided from the energy freedom account for administrative overhead or other deductions not directly associated with conducting the research, projects, or other end products that the funding is designed to produce.

(6) Subsections (2), (4), and (5) of this section do not apply to assistance awarded for projects under [RCW 43.325.020\(3\)](#).

(7) During the 2013-2015 fiscal biennium, the legislature may transfer from the energy freedom account to the state general fund such amounts as reflect the excess fund balance of the account.

**Credits** [[2013 2nd sp.s. c 4 § 984](#), eff. June 30, 2013. Prior: [2009 c 564 § 942](#), eff. May 19, 2009; [2009 c 451 § 5](#), eff. May 11, 2009; [2007 c 348 § 305](#), eff. July 1, 2007; [2006 c 371 § 223](#), eff. March 31, 2006; [2006 c 171 § 6](#), eff. June 7, 2006. Formerly [RCW 15.110.050](#).]

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#### **43.325.050. Director's report (Expires June 30, 2016)**

The director shall report to the legislature and governor on the status of the energy freedom program created under this chapter, on or before December 1, 2006, and biennially thereafter. This report must include information on the projects that have been funded, the status of these projects, and their environmental, energy savings, and job creation benefits.

**Credits** [[2009 c 518 § 20](#), eff. July 26, 2009; [2006 c 171 § 7](#), eff. June 7, 2006. Formerly [RCW 15.110.060](#).]

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#### **43.325.060. Suspension or cancellation of assistance (Expires June 30, 2016)**

(1) Upon written notice to the recipient of any assistance under this program, the director may suspend or cancel the assistance if any of the following occur:

(a) The recipient fails to make satisfactory and reasonable progress to complete the project, or the director concludes the recipient will be unable to complete the project or any portion of it; or

(b) The recipient has made misrepresentations in any information furnished to the director in connection with the project.

(2) In the event that any assistance has been awarded to the recipient under this program at the time of breach, or failure of the recipient to satisfactorily perform, the director may require that the full amount or value of the assistance, or a portion thereof, be repaid within a period specified by the director.

**Credits** [[2006 c 171 § 4](#), eff. June 7, 2006. Formerly [RCW 15.110.030](#).]

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### **43.325.070. Applications--Criteria (Expires June 30, 2016)**

(1) If the total requested dollar amount of assistance awarded for projects under [RCW 43.325.020\(3\)](#) exceeds the amount available in the energy freedom account created in [RCW 43.325.040](#), the applications must be prioritized based upon the following criteria:

- (a) The extent to which the project will help reduce dependence on petroleum fuels and imported energy either directly or indirectly;
- (b) The extent to which the project will reduce air and water pollution either directly or indirectly;
- (c) The extent to which the project will establish a viable bioenergy or biofuel production capacity, energy efficiency, renewable energy, or innovative energy technology industry in Washington;
- (d) The benefits to Washington's agricultural producers;
- (e) The benefits to the health of Washington's forests;
- (f) The beneficial uses of biogas;
- (g) The number and quality of jobs and economic benefits created by the project; and
- (h) Other criteria as determined by the clean energy leadership council created in section 2, chapter 318, Laws of 2009.

(2) This section does not apply to grants or loans awarded for refueling projects under [RCW 43.325.020 \(4\)](#) and [\(5\)](#).

**Credits** [[2009 c 451 § 6](#), eff. May 11, 2009; [2007 c 348 § 303](#), eff. July 1, 2007; [2006 c 171 § 5](#), eff. June 7, 2006. Formerly [RCW 15.110.040](#).]

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### **43.325.080. Electricity and biofuel usage goals--Rules**

(1) By June 1, 2010, the department shall adopt rules to define practicability and clarify how state agencies will be evaluated in determining whether they have met the goals set out in [RCW 43.19.648\(1\)](#). At a minimum, the rules must address:

- (a) Criteria for determining how the goal in [RCW 43.19.648\(1\)](#) will be met by June 1, 2015;
- (b) Factors considered to determine compliance with the goal in [RCW 43.19.648\(1\)](#), including but not limited to: The regional availability of fuels; vehicle costs; differences between types of vehicles, vessels, or equipment; the cost of program implementation; and cost differentials in different parts of the state; and
- (c) A schedule for phased-in progress towards meeting the goal in [RCW 43.19.648\(1\)](#) that may include different schedules for different fuel applications or different quantities of biofuels.

(2) By June 1, 2015, the department shall adopt rules to define practicability and clarify how local government subdivisions of the state will be evaluated in determining whether they have met the goals set out in [RCW 43.19.648\(2\)](#). At a minimum, the rules must address:

(a) Criteria for determining how the goal in [RCW 43.19.648\(2\)](#) will be met by June 1, 2018;

(b) Factors considered to determine compliance with the goal in [RCW 43.19.648\(2\)](#), including but not limited to: The regional availability of fuels; vehicle costs; differences between types of vehicles, vessels, or equipment; the cost of program implementation; and cost differentials in different parts of the state; and

(c) A schedule for phased-in progress towards meeting the goal in [RCW 43.19.648\(2\)](#) that may include different schedules for different fuel applications or different quantities of biofuels.

**Credits** [[2011 c 353 § 5](#), eff. July 22, 2011; [2007 c 348 § 204](#), eff. July 22, 2007.]

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#### **43.325.090. Refueling projects**

If the total requested dollar amount of funds for refueling projects under [RCW 43.325.020\(4\)](#) exceeds the amount available for refueling projects in the energy freedom account created in [RCW 43.325.040](#), the applications must be prioritized based upon the following criteria:

(1) The extent to which the project will help reduce dependence on petroleum fuels and imported energy either directly or indirectly;

(2) The extent to which the project will reduce air and water pollution either directly or indirectly;

(3) The extent to which the project will establish a viable bioenergy production capacity in Washington;

(4) The extent to which the project will make biofuels more accessible to the motoring public;

(5) The benefits to Washington's agricultural producers; and

(6) The number and quality of jobs and economic benefits created by the project.

**Credits** [[2007 c 348 § 304](#), eff. July 1, 2007.]

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#### **43.325.100. Framework to mitigate climate change--Report**

(1) The \*department of community, trade, and economic development and the department of ecology shall develop a framework for the state of Washington to participate in emerging regional, national, and to the extent possible, global markets to mitigate climate change, on a multisector basis. This

framework must include, but not be limited to, credible, verifiable, replicable inventory and accounting methodologies for each sector involved, along with the completion of the stakeholder process identified in executive order number 07-02 creating the Washington state climate change challenge.

(2) The \*department of community, trade, and economic development and the department of ecology shall include the forestry sector and work closely with the department of natural resources on those recommendations.

(3) The department must provide a report to the legislature by December 1, 2008. The report may be included within the report produced for executive order number 07-02.

**Credits** [2007 c 348 § 403, eff. July 22, 2007.]

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#### **43.325.110. Vehicle electrification demonstration grant program**

(1) The vehicle electrification demonstration grant program is established within the \*department of community, trade, and economic development. The director may establish policies and procedures necessary for processing, reviewing, and approving applications made under this chapter.

(2) The director may approve an application for a vehicle electrification demonstration project only if the director finds:

(a) The applicant is a state agency, public school district, public utility district, or a political subdivision of the state, including port districts, counties, cities, towns, special purpose districts, and other municipal corporations or quasi-municipal corporations or a state institution of higher education;

(b) The project partially funds the purchase of or conversion of existing vehicles to plug-in hybrid electric vehicles or battery electric vehicles for use in the applicant's fleet or operations;

(c) The project partners with an electric utility and demonstrates technologies to allow controlled vehicle charging, including the use of power electronics or wireless technologies, to regulate time-of-day and duration of charging;

(d) The project provides matching resources; and

(e) The project provides evaluation of fuel savings, greenhouse gas reductions, battery capabilities, energy management system, charge controlling technologies, and other relevant information determined on the advice of the vehicle electrification work group.

(3) The director may approve an application for a vehicle electrification demonstration project if the project, in addition to meeting the requirements of subsection (2) of this section, also demonstrates charging using on-site renewable resources or vehicle-to-grid capabilities that enable the vehicle to discharge electricity into the grid.

**Credits** [2007 c 348 § 408, eff. July 22, 2007.]

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**43.325.900. Expiration date--Transfer of moneys--2006 c 171 §§ 1-7**

Sections 1 through 7 of this act expire June 30, 2016. Any moneys in the energy freedom account on that date and any moneys received pursuant to assistance made under this chapter must be deposited in the general fund.

**Credits** [2006 c 171 § 11, eff. June 7, 2006. Formerly [RCW 15.110.900.](#)]

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**43.325.901. Severability--2006 c 171**

If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**Credits** [2006 c 171 § 15, eff. June 7, 2006. Formerly [RCW 15.110.901.](#)]

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**43.325.902. Servicing and management of projects in effect before July 1, 2007**

(1) Energy freedom program projects funded pursuant to [RCW 43.325.040](#) or by the legislature pursuant to sections 191 and 192, chapter 371, Laws of 2006 for which the department of agriculture has signed loan agreements and disbursed funds prior to June 30, 2007, shall continue to be serviced by the department of agriculture.

(2) Energy freedom program projects funded pursuant to [RCW 43.325.040](#) or by the legislature pursuant to sections 191 and 192, chapter 371, Laws of 2006 for which moneys have been appropriated but loan agreements or disbursements have not been completed must be transferred to the department for project management on July 1, 2007, subject to the ongoing requirements of the energy freedom program.

**Credits** [2007 c 348 § 307, eff. July 1, 2007.]

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**43.325.903. Part headings not law--2007 c 348**

Part headings used in this act are not any part of the law.

**Credits** [2007 c 348 § 501, eff. July 1, 2007.]

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**43.325.904. Effective date--2007 c 348 §§ 205 and 301-307**

Sections 205 and 301 through 307 of this act are necessary for the immediate preservation of the public

peace, health, or safety, or support of the state government and its existing public institutions, and take effect July 1, 2007.

**Credits** [2007 c 348 § 503, eff. July 1, 2007.]