



# Rule Adoption Notice

## Low Emission Vehicles, Chapter 173-423 WAC

Legislation passed in 2003 (ESSB 5766) requires the Department of Ecology (Ecology) to notify businesses affected by rule adoptions. To comply with this law and to keep the regulated community better informed of Ecology rule adoptions, you are receiving this notification of a rule adoption.

**For more information or technical assistance:**

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**For more information:**

Visit online:  
[www.ecy.wa.gov/programs/air/cars/NewCarStuff/NewCarInformation.htm](http://www.ecy.wa.gov/programs/air/cars/NewCarStuff/NewCarInformation.htm)

To sign-up for **WAC Track** and receive emails about rule-making activities:

Go to [www.ecy.wa.gov](http://www.ecy.wa.gov) and click on E-mail lists

### Requirements of the rule

This rule applies to 2009 model year passenger cars, light trucks and medium duty passenger vehicles (i.e., vans and most SUVs) as follows:

Requirements for manufacturers:

- Deliver vehicles that are certified to California emission standards for sale and use in Washington.
- Meet non-methane organic gas (NMOG) and greenhouse gas fleet average requirement.
- Provide Ecology with various reports related to administration and enforcement of the rule.

Requirements for dealers:

- Sell, lease or rent vehicles certified to California emission standards for use in Washington, except as provided in WAC 173-423-060, Exemptions.

Other requirements:

- Dealers, licensing agents and sub-agents may not register vehicles for use in Washington if there is no proof the vehicles are certified to California emission standards.
- Upon request, vehicle dealers and rental car agencies must provide Ecology with any documentation necessary to administer and enforce the new rule.

### Summary of the rule adopted on November 30, 2005

This new chapter of the Washington Administrative Code implements ESHB 1397 by:

- adopting specific California emission standards by reference,
- establishing that the requirements begin with the 2009 model year,
- establishing certain exemptions,
- providing for a phase-in of the requirements, and
- establishing reporting, compliance and enforcement procedures that affect automobile manufacturers and dealers.

### Effective date

This new rule, Chapter 173-423 WAC, becomes effective on January 1, 2006.

### Appeal procedures

You can appeal this rule adoption using procedures described in the Administrative Procedure Act (RCW 34.05.330). For information about appealing this adoption, please contact Jerry Thielen, Ecology's Regulatory Affairs Manager, at (360) 407-7551 or by emailing [jthi461@ecy.wa.gov](mailto:jthi461@ecy.wa.gov).

