

48:25-1 to 48:25-11 et al
LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2019 **CHAPTER:** 362

NJSA: 48:25-1 to 48:25-11 et al (Establishes goals and initiatives for increased use of use of plug-in electric vehicles.)

BILL NO: S2252 (Substituted for A4819)

SPONSOR(S) Bob Smith and others

DATE INTRODUCED: 3/5/2018

COMMITTEE: **ASSEMBLY:** ---

SENATE: Environment & Energy
 Budget & Appropriations

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** 1/13/2020

SENATE: 1/13/2020

DATE OF APPROVAL: 1/17/2020

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL

(Senate Committee Substitute (Corrected Copy) for Senate Committee Substitute for Senate, No. 2252) Yes

S2252

SPONSOR'S STATEMENT: (Begins on page 9 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes Environment & Energy
 Budget & Appropriations

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: Yes

A4819

SPONSOR'S STATEMENT: (Begins on page 37 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes Environment & Solid Waste
 Appropriations

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE:

Yes

VETO MESSAGE:

No

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes

FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

Yes

Committee meeting of Assembly Transportation and Independent Authorities Committee [and] Assembly Environment and Solid Waste Committee : the Committees will meet jointly to receive testimony from invited guests concerning electric vehicles; the Committees will also receive testimony from the public on Assembly Bill No. 4634, which would establish goals, initiatives, and programs to encourage and support the use of plug-in electric vehicles

[December 10, 2018, Trenton, New Jersey]

Call number: 974.90 A939, 2018b

Online at: <http://hdl.handle.net/10929/50409>

NEWSPAPER ARTICLES:

Yes

David Hutter. "Murphy signs electric vehicles incentives measure." NJBIZ, January 17, 2020.

RWH/JA

Title 48.
Chapter 25. (New)
Electric Vehicles
§§1-11 -
C.48:25-1 to
48:25-11

P.L. 2019, CHAPTER 362, *approved January 17, 2020*
Senate Committee Substitute (**Corrected Copy**) for
Senate Committee Substitute for Senate, No. 2252

1 **AN ACT** concerning the use of plug-in electric vehicles,
2 supplementing Title 48 of the Revised Statutes, and amending
3 P.L.2007, c.340 and P.L.1999, c.23.

4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7

8 1. (New section) The Legislature finds and declares: that plug-
9 in electric vehicle technology has improved significantly for
10 vehicles of all types; that plug-in electric vehicles with longer
11 ranges are now widely available at a lower cost and present a viable
12 alternative to vehicles fueled by fossil fuels; that more plug-in
13 electric vehicle makes and models will be introduced in the State
14 motor vehicle market over the next several years; that vehicle
15 electrification offers a wide range of benefits, such as improved air
16 quality, reduced greenhouse gas emissions, and savings in motor
17 vehicle operating costs for vehicle owners; that increased use of
18 plug-in electric vehicles can contribute significantly to the
19 attainment of existing State air pollution and energy goals,
20 including the objectives of the “Global Warming Response Act,”
21 P.L.2007, c.112 (C.26:2C-37 et seq.) and the State’s Energy Master
22 Plan; and that New Jersey is already committed to implementing the
23 California Low Emission Vehicle Program pursuant to P.L.2003,
24 c.266 (C.26:2C-8.15 et al.), and part of this program is a
25 commitment to increasing the use of low emission vehicles and zero
26 emission vehicles, including plug-in electric vehicles.

27 The Legislature therefore determines that it is in the public
28 interest to establish goals for the increased use of plug-in electric
29 vehicles in the State, to support the increased use of plug-in electric
30 vehicles by providing incentives for the purchase or lease of such
31 vehicles and for related charging equipment, and to increase
32 consumer awareness of the availability of incentives through a
33 Statewide public education program.

34

35 2. (New section) As used in sections 1 through 11 of
36 P.L. , c. (C.) (pending before the Legislature as this bill):

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 “Board” means the Board of Public Utilities.

2 “Charger ready” means the pre-wiring of electrical infrastructure
3 at a parking space, or set of parking spaces, to facilitate easy and
4 cost-efficient future installation of electric vehicle service
5 equipment, including, but not limited to, Level Two EVSE and DC
6 Fast Chargers.

7 “Charging location” means a publicly accessible parking space
8 or set of parking spaces, with visible signage designating that the
9 parking space or parking spaces are available for use by the public
10 for charging plug-in electric vehicles.

11 “Community location” means a charging location that is not a
12 corridor location, and that is established in a town center,
13 commercial area, retail center, or near concentrations of multi-
14 family dwellings, to provide vehicle charging services to local plug-
15 in electric vehicle drivers near where they live and work.

16 “Corridor location” means a charging location located along a
17 travel corridor roadway, or within one mile of that roadway, which
18 is intended to provide access to vehicle charging services for long
19 distance drivers and en route vehicle charging services for local
20 drivers.

21 “DC Fast Charger” means EVSE that provides at least 50
22 kilowatts of direct current electrical power for charging a plug-in
23 electric vehicle through a connector based on fast charging
24 equipment standards, and which is approved for installation for that
25 purpose under the National Electric Code through an Underwriters
26 Laboratories Certification or an equivalent certifying organization.

27 “Department” means the Department of Environmental
28 Protection.

29 “Electric vehicle service equipment” or “EVSE” means the
30 equipment, including the cables, cords, conductors, connectors,
31 couplers, enclosures, attachment plugs, power outlets, switches and
32 controls, network interfaces, and point of sale equipment and
33 associated apparatus designed and used for the purpose of
34 transferring energy from the electric supply system to a plug-in
35 electric vehicle. “EVSE” may deliver either alternating current or
36 direct current electricity consistent with fast charging equipment
37 standards.

38 “Fast charging equipment standards” means standards for high
39 power direct current charging, based on the CHAdeMO standard
40 and the Society of Automotive Engineers Combined Charging
41 Standard (CCS), or other non-proprietary standards as may be
42 approved by the board in the future.

43 “Eligible vehicle” means a new light duty plug-in electric
44 vehicle, with an MSRP of below \$55,000, purchased or leased after
45 the effective date of P.L. , c. (C.) (pending before the
46 Legislature as this bill) and registered in New Jersey.

1 “In-home electric vehicle service equipment” means electric
2 vehicle service equipment used in a person’s home to charge a plug-
3 in electric vehicle.

4 “Level One EVSE” means EVSE that provides single phase
5 120V AC electricity, presented as either a standard wall plug into
6 which the charging cord provided with a plug-in electric vehicle can
7 be connected, or an EVSE with a standard vehicle plug connector
8 that complies with SAE J1772, or an equivalent standard for 120V
9 AC charging as may be adopted in the future and accepted by the
10 board, and which is approved for installation for this purpose under
11 the National Electric Code through an Underwriters Laboratories
12 Certification or an equivalent certifying organization.

13 “Level Two EVSE” means EVSE that provides a plug-in electric
14 vehicle with single phase alternating current electrical power at
15 208-240V AC, through a standardized plug connector that complies
16 with SAE J1772 standards, or an equivalent wireless power transfer
17 interface, or equivalent standards for 208-240V AC charging as
18 may be adopted in the future and accepted by the board, and which
19 is approved for installation for this purpose under the National
20 Electric Code through Underwriters Laboratories Certification or an
21 equivalent certifying organization.

22 “Light duty vehicle” means any two-axle, four-wheel vehicle,
23 designed primarily for passenger travel or light duty commercial
24 use, and approved for travel on public roads. “Light duty vehicle”
25 includes, but is not limited to, any vehicle commonly referred to as
26 a car, minivan, sport utility vehicle, cross-over, or pick-up truck.

27 “Low-income, urban, or environmental justice community”
28 means a community: (1) in which at least one half of the households
29 are at or below twice the poverty threshold as determined annually
30 by the United States Census Bureau; (2) that is urban, as determined
31 by the Department of Community Affairs, due to the population and
32 development density in the community; or (3) that has been
33 burdened with environmental justice issues, as determined by the
34 department, including, but not limited to, exposure to high levels of
35 air pollution, close proximity to major industrial facilities or
36 hazardous waste sites, or other environmental hazards.

37 “MSRP” means the published manufacturer’s suggested retail
38 price, as set by a vehicle’s manufacturer, at the time of sale or lease.

39 “Plug-in electric vehicle” means a vehicle that has a battery or
40 equivalent energy storage device that can be charged from an
41 electricity supply external to the vehicle with an electric plug.
42 “Plug-in electric vehicle” includes a plug-in hybrid vehicle.

43 “Plug-in hybrid vehicle” means a vehicle that can be charged
44 from a source of electricity external to the vehicle through an
45 electric plug, but is not exclusively powered by electricity.

46 “Routine charging” means vehicle charging that takes place
47 where a vehicle is parked for a long period of time, such as at the

1 owner's residence overnight, a hotel, or a workplace during work
2 hours, and which provides the primary and most common form of
3 vehicle charging.

4 "Seller or lessor of an eligible vehicle" means an entity that is
5 licensed to sell or lease an eligible vehicle to a consumer or fleet
6 owner in the State.

7 "Travel corridor" means heavily used public roads in the State,
8 as designated by the department, which shall include, but need not
9 be limited to, the Garden State Parkway, the New Jersey Turnpike,
10 the Atlantic City Expressway, federal interstate highways, and the
11 subset of federal or State roads which collectively support the
12 majority of long distance travel through and within the State as well
13 as the majority of daily travel by local drivers.

14

15 3. (New section) a. There are established the following State
16 goals for the use of plug-in electric vehicles and the development of
17 plug-in electric vehicle charging infrastructure in the State to
18 support that use:

19 (1) at least 330,000 of the total number of registered light duty
20 vehicles in the State shall be plug-in electric vehicles by December
21 31, 2025;

22 (2) at least 2 million of the total number of registered light duty
23 vehicles in the State shall be plug-in electric vehicles by December
24 31, 2035;

25 (3) at least 85 percent of all new light duty vehicles sold or
26 leased in the State shall be plug-in electric vehicles by December
27 31, 2040;

28 (4) (a) By December 31, 2025, at least 400 DC Fast Chargers
29 shall be available for public use at no fewer than 200 charging
30 locations in the State, (b) at least 75 of the 200 or more charging
31 locations shall be at travel corridor locations, equipped with at least
32 two DC Fast Chargers per location, each capable of providing at
33 least 150 kilowatts of charging power, and no more than 25 miles
34 between the charging locations, and (c) at least 100 of the 200 or
35 more charging locations shall be community locations, equipped
36 with at least two DC Fast Chargers per location, each capable of
37 providing 50 kilowatts of charging power or more, and 150
38 kilowatts or more where feasible. The department may, in its
39 discretion, increase the goals set forth in this paragraph pursuant to
40 any strategic mapping of plug-in electric vehicle charging
41 infrastructure the department conducts;

42 (5) By December 31, 2025, at least 1,000 Level Two chargers
43 shall be available for public use across the State, and after initial
44 installation, those EVSE may be upgraded to higher power or DC
45 Fast Chargers as appropriate by the owner or operator of the EVSE;
46 and

1 (6) (a) By December 31, 2025, at least 15 percent of all multi-
2 family residential properties in the State shall be equipped with
3 EVSE for the routine charging of plug-in electric vehicles by
4 residents through a combination of Level One EVSE, Level Two
5 EVSE, or charger ready parking spaces, which collectively shall
6 serve a percentage of resident parking spaces equal to the
7 percentage of light duty vehicles registered in the State that are
8 plug-in electric vehicles at the end of the preceding calendar year,
9 or the percentage of vehicles owned by residents that are plug-in
10 electric vehicles, whichever is higher, and (b) by December 31,
11 2030, 30 percent of all multi-family properties shall be equipped for
12 electric vehicle charging as described in subparagraph (a) of this
13 paragraph;

14 (7) (a) By December 31, 2025, 20 percent of all franchised
15 overnight lodging establishments shall be equipped with EVSE for
16 routine electric vehicle charging by guests of the establishment by
17 providing Level Two EVSE, which collectively shall serve a
18 percentage of the guest parking spaces equal to the percentage of
19 light duty vehicles registered in the State that are plug-in electric
20 vehicles at the end of the preceding calendar year, and (b) by
21 December 31, 2030, 50 percent of all franchised overnight lodging
22 establishments shall be equipped with EVSE as described in
23 subparagraph (a) of this paragraph;

24 (8) (a) By December 31, 2025, at least 25 percent of State-
25 owned non-emergency light duty vehicles shall be plug-in electric
26 vehicles, and (b) by December 31, 2035 and thereafter, 100 percent
27 of State-owned non-emergency light duty vehicles shall be plug-in
28 electric vehicles;

29 (9) (a) By December 31, 2024, at least 10 percent of the new bus
30 purchases made by the New Jersey Transit Corporation shall be
31 zero emission buses, and (b) the percentage of zero emission bus
32 purchases shall increase to 50 percent by December 31, 2026, and
33 100 percent by December 31, 2032 and thereafter. Zero emission
34 buses shall not produce any emissions at the tailpipe, and shall be
35 prioritized for low-income, urban, or environmental justice
36 communities; and

37 (10) By December 31, 2020, the department, in consultation with
38 the board, shall establish other goals for vehicle electrification and
39 infrastructure development that address medium-duty and heavy-
40 duty on-road diesel vehicles and associated charging infrastructure,
41 similar to the State goals for light duty vehicles and consistent with
42 the technology and plug-in electric vehicle markets for those
43 vehicle types.

44 b. The board and the department may, pursuant to P.L. ,
45 c. (C.)(pending before the Legislature as this bill) and any
46 other existing statutory authority, adopt policies and programs to
47 accomplish the goals established pursuant to this section.

1 c. No later than December 31, 2020, and every five years
2 thereafter, until December 31, 2040, the department, in consultation
3 with the board, shall prepare and submit to the Governor and,
4 pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the
5 Legislature, a report that:

6 (1) assesses the current state of the plug-in electric vehicle
7 market in New Jersey;

8 (2) measures the State's progress towards achieving the goals
9 established in subsection a. of this section;

10 (3) identifies barriers to the achievement of the goals; and

11 (4) makes recommendations for legislative or regulatory action
12 to address barriers to the achievement of the goals.

13

14 4. (New section) a. No later than 180 days after the effective
15 date of P.L. , c. (C.)(pending before the Legislature as this
16 bill), the Board of Public Utilities shall establish and implement a
17 light duty plug-in electric vehicle incentive program for the purpose
18 of encouraging the purchase or lease of new light duty plug-in
19 electric vehicles in the State.

20 b. The board shall implement the light duty plug-in electric
21 vehicle incentive program until June 30th of the 10th year after
22 establishment of the incentive program.

23 c. (1) Any incentive offered pursuant to this section shall take
24 the form of a one-time payment to the purchaser or lessee of an
25 eligible vehicle.

26 (2) For the first year an incentive is offered, the amount of the
27 incentive shall be equal to \$25 per mile of EPA-rated electric-only
28 range up to a maximum of \$5,000 per eligible vehicle. For each
29 subsequent year an incentive is offered, the board may, after
30 consideration of stakeholder input, change the amount of the
31 incentive and the manner in which an incentive is calculated,
32 provided that no incentive shall exceed \$5,000 per eligible vehicle.
33 The board shall publish the amount of any incentives on its Internet
34 website.

35 (3) The board may limit the number of plug-in electric vehicle
36 incentives that it issues to a single person.

37 (4) The board may establish other requirements and parameters
38 for the incentive program as it deems necessary and reasonable to
39 further the goals of P.L. , c. (C.)(pending before the
40 Legislature as this bill).

41 d. The board shall monitor the disbursement of incentives
42 under the incentive program, and annually reassess the design and
43 implementation of the incentive program. Provided the board's
44 action is consistent with the provisions of subsection c. of this
45 section, the board may:

46 (1) revise the incentive program, any aspect of the incentives, or
47 the related implementation procedures or processes; and

1 (2) develop additional incentives consistent with the goals of
2 P.L. , c. (C.) (pending before the Legislature as this bill) in
3 order to ensure efficient and equitable electrification of
4 transportation in the State.

5 e. Notwithstanding any other provision of law to the contrary,
6 a light duty plug-in hybrid vehicle shall not qualify for an incentive
7 under the light duty plug-in electric vehicle incentive program after
8 December 31, 2022.

9

10 5. (New section) a. The seller or lessor of an eligible vehicle
11 shall offer the light duty plug-in electric vehicle incentive
12 established pursuant to section 4 of P.L. , c. (C.)(pending
13 before the Legislature as this bill) in conjunction with, and in
14 addition to, any other incentive offered by the seller or lessor of an
15 eligible vehicle.

16 b. A seller or lessor of an eligible vehicle shall provide a
17 purchaser or lessee the option to have the amount of the light duty
18 plug-in electric vehicle incentive deducted from the final negotiated
19 and agreed upon sale or lease price of the eligible vehicle, in which
20 case the full amount of the incentive shall be passed through to the
21 purchaser or lessee in full and payment thereof shall be effective
22 immediately at the time of the final sale or lease and transfer of the
23 eligible vehicle to the purchaser or lessee. The board shall establish
24 a process for reimbursing a seller or lessor of an eligible vehicle the
25 cost of an incentive provided by the seller or lessor pursuant to this
26 subsection.

27 c. The board shall require each seller or lessor of an eligible
28 vehicle to provide to the board, upon the final sale or lease and
29 transfer of an eligible vehicle to a purchaser or lessee, the eligible
30 vehicle's make, model, and battery size, and any other information
31 as the board determines relevant.

32

33 6. (New section) a. The Board of Public Utilities may
34 establish and implement a program to provide incentives for the
35 purchase and installation of in-home electric vehicle service
36 equipment.

37 b. Any incentive program established pursuant to this section
38 may be implemented only until June 30th of the 10th year after
39 establishment of the program.

40 c. (1) Any incentive offered pursuant to this section shall take
41 the form of a one-time payment to the person purchasing the in-
42 home electric vehicle service equipment.

43 (2) The amount of the incentive offered pursuant to this section
44 shall be determined by the board, but shall not exceed \$500 per
45 person. Any incentive a person receives pursuant to this section
46 shall be in addition to any incentive the person receives for the
47 purchase or lease of a new light duty plug-in electric vehicle

1 pursuant to sections 4 and 5 of P.L. , c. (C.)(pending before
2 the Legislature as this bill).

3 (3) The board may establish other requirements and parameters
4 for the program as it deems necessary and reasonable to further the
5 goals of P.L. , c. (C.)(pending before the Legislature as this
6 bill).

7 d. The board shall monitor the disbursement of incentives
8 under the incentive program, and annually reassess the design and
9 implementation of the incentive program. Provided the board's
10 action is consistent with the provisions of subsection c. of this
11 section, the board may:

12 (1) revise the incentive program, any aspect of the incentives, or
13 the related implementation procedures or processes; and

14 (2) in consultation with the department, develop additional
15 incentives for electric vehicle service equipment consistent with the
16 goals of P.L. , c. (C.) (pending before the Legislature as
17 this bill) in order to ensure efficient and equitable electrification of
18 transportation in the State.

19 e. The board shall determine the form and manner of the
20 application for, and the disbursement of, incentives pursuant to this
21 section.

22

23 7. (New section) a. There is established in the Board of Public
24 Utilities a special, nonlapsing fund to be known as the Plug-in
25 Electric Vehicle Incentive Fund. The fund shall be administered by
26 the board and shall be credited with:

27 (1) moneys deposited into the fund by the board pursuant to
28 subsection b. of this section;

29 (2) moneys that are appropriated by the Legislature; and

30 (3) any return on investment of moneys deposited in the fund.

31 b. (1) The board shall deposit into the fund, each year, \$30
32 million of moneys received from the societal benefits charge
33 established pursuant to section 12 of P.L.1999, c.23 (C.48:3-60),
34 moneys made available to the board pursuant to the implementation
35 of the Regional Greenhouse Gas Initiative and P.L.2007, c.340
36 (C.26:2C-45 et seq.), and moneys available from other funding
37 sources, as determined by the board, to make disbursements under
38 the light duty plug-in electric vehicle incentive program established
39 pursuant to section 4 of P.L. , c. (C.)(pending before the
40 Legislature as this bill).

41 (2) The board may deposit into the fund, each year, such
42 additional amounts from the societal benefits charge, as the board
43 deems necessary, to make disbursement under an incentive program
44 for in-home electric vehicle service equipment established pursuant
45 to section 6 of P.L. , c. (C.)(pending before the Legislature
46 as this bill).

1 c. Moneys in the fund shall be used by the board solely for the
2 purpose of disbursing the incentives established pursuant to sections
3 4 and 6 of P.L. , c. (C.)(pending before the Legislature as
4 this bill). The board shall recover any administrative costs incurred
5 in connection with P.L. , c. (C.)(pending before the
6 Legislature as this bill) separately from moneys received from the
7 societal benefits charge.

8 d. (1) The board shall provide no less than \$30 million in
9 disbursements under the light duty plug-in electric vehicle incentive
10 program established pursuant to section 4 of
11 P.L. , c. (C.)(pending before the Legislature as this bill)
12 each year for 10 years.

13

14 8. (New section) The Board of Public Utilities shall develop a
15 website, accessible by the public, that provides up-to-date
16 information about the availability of the incentives established
17 pursuant to sections 4 and 6 of P.L. , c. (C.) (pending
18 before the Legislature as this bill).

19

20 9. (New section) No later than 180 days after the effective date
21 of P.L. , c. (C.) (pending before the Legislature as this bill),
22 the Department of Environmental Protection shall, after
23 consideration of stakeholder input, develop and implement a public
24 education program to educate consumers about the availability and
25 benefits of plug-in electric vehicles, the State goals for plug-in
26 electric vehicle deployment established in section 3 of
27 P.L. , c. (C.) (pending before the Legislature as this bill),
28 and the availability of incentives established pursuant to sections 4
29 and 6 of P.L. , c. (C.) (pending before the Legislature as
30 this bill).

31

32 10. (New section) Unless otherwise provided in Title 48 of the
33 Revised Statutes, or any other federal or State law, an entity
34 owning, controlling, operating, or managing electric vehicle service
35 equipment shall not be deemed an electric public utility solely
36 because of such ownership, control, operation, or management. The
37 charging of a plug-in electric vehicle shall be deemed a service and
38 not a sale of electricity by an electric power supplier or basic
39 generation service provider pursuant to P.L.1999, c.23 (C.48:3-
40 49 et al.).

41

42 11. (New section) The board may, in consultation with the
43 department, adopt, pursuant to the "Administrative Procedure Act,"
44 P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations
45 necessary for the implementation of P.L. , c. (C.) (pending
46 before the Legislature as this bill).

1 12. Section 7 of P.L.2007, c.340 (C.26:2C-51) is amended to
2 read as follows:

3 7. a. The agencies administering programs established
4 pursuant to this section shall maximize coordination in the
5 administration of the programs to avoid overlap between the uses of
6 the fund prescribed in this section.

7 b. Moneys in the fund, after appropriation annually for
8 payment of administrative costs authorized pursuant to subsection c.
9 of this section, shall be annually appropriated and used for the
10 following purposes:

11 (1) Sixty percent shall be allocated to the New Jersey Economic
12 Development Authority to provide grants and other forms of
13 financial assistance to commercial, institutional, and industrial
14 entities to support end-use energy efficiency projects and new,
15 efficient electric generation facilities that are state of the art, as
16 determined by the department, including but not limited to energy
17 efficiency and renewable energy applications, to develop combined
18 heat and power production and other high efficiency electric
19 generation facilities, to stimulate or reward investment in the
20 development of innovative carbon emissions abatement
21 technologies with significant carbon emissions reduction or
22 avoidance potential, to develop qualified offshore wind projects
23 pursuant to section 3 of P.L.2010, c.57 (C.48:3-87.1), and to
24 provide financial assistance to manufacturers of equipment
25 associated with qualified offshore wind projects. The authority, in
26 consultation with the board and the department, shall determine:
27 (a) the appropriate level of grants or other forms of financial
28 assistance to be awarded to individual commercial, institutional,
29 and industrial sectors and to individual projects within each of these
30 sectors; (b) the evaluation criteria for selecting projects to be
31 awarded grants or other forms of financial assistance, which criteria
32 shall include the ability of the project to result in a measurable
33 reduction of the emission of greenhouse gases or a measurable
34 reduction in energy demand, provided, however, that neither the
35 development of a new combined heat and power production facility,
36 nor an increase in the electrical and thermal output of an existing
37 combined heat and power production facility, shall be subject to the
38 requirement to demonstrate such a measurable reduction; and (c)
39 the process by which grants or other forms of financial assistance
40 can be applied for and awarded including, if applicable, the
41 payment terms and conditions for authority investments in certain
42 projects with commercial viability;

43 (2) Twenty percent shall be allocated to the board to support
44 programs that are designed to reduce electricity demand or costs to
45 electricity customers in the low-income and moderate-income
46 residential sector with a focus on urban areas, including efforts to
47 address heat island effect and reduce impacts on ratepayers

1 attributable to the implementation of P.L.2007, c.340 (C.26:2C-
2 45 et al.) or to support the light duty plug-in electric vehicle
3 incentive program and the incentive program for in-home electric
4 vehicle service equipment established pursuant to sections 4 and 6
5 of P.L. , c. (C.)(pending before the Legislature as this bill).
6 For the purposes of this paragraph, the board, in consultation with
7 the authority and the department, shall determine the types of
8 programs to be supported and the mechanism by which to quantify
9 benefits to ensure that the supported programs result in a
10 measurable reduction in energy demand or accomplishment of the
11 plug-in electric vehicle goals established pursuant to section 3 of
12 P.L. , c. (C.)(pending before the Legislature as this bill);

13 (3) Ten percent shall be allocated to the department to support
14 programs designed to promote local government efforts to plan,
15 develop and implement measures to reduce greenhouse gas
16 emissions, including but not limited to technical assistance to local
17 governments, and the awarding of grants and other forms of
18 assistance to local governments to conduct and implement energy
19 efficiency, renewable energy, and distributed energy programs and
20 land use planning where the grant or assistance results in a
21 measurable reduction of the emission of greenhouse gases or a
22 measurable reduction in energy demand. For the purpose of
23 conducting any program pursuant to this paragraph, the department,
24 in consultation with the authority and the board, shall determine:
25 (a) the appropriate level of grants or other forms of financial
26 assistance to be awarded to local governments; (b) the evaluation
27 criteria for selecting projects to be awarded grants or other forms of
28 financial assistance; (c) the process by which grants or other forms
29 of financial assistance can be applied for and awarded; and (d) a
30 mechanism by which to quantify benefits; and

31 (4) Ten percent shall be allocated to the department to support
32 programs that enhance the stewardship and restoration of the State's
33 forests and tidal marshes that provide important opportunities to
34 sequester or reduce greenhouse gases.

35 c. (1) The department may use up to four percent of the total
36 amount in the fund each year to pay for administrative costs
37 justifiable and approved in the annual budget process, incurred by
38 the department in administering the provisions of P.L.2007, c.340
39 (C.26:2C-45 et al.) and in administering programs to reduce the
40 emissions of greenhouse gases including any obligations that may
41 arise under subsection a. of section 11 of P.L.2007, c.340 (C.26:2C-
42 55).

43 (2) The board may use up to two percent of the total amount in
44 the fund each year to pay for administrative costs justifiable and
45 approved in the annual budget process, incurred by the board in
46 administering the provisions of P.L.2007, c.340 (C.26:2C-45 et al.)
47 and in administering programs to reduce the emissions of

1 greenhouse gases including any obligations that may arise under
2 subsection a. of section 11 of P.L.2007, c.340 (C.26:2C-55).

3 (3) The New Jersey Economic Development Authority may use
4 up to two percent of the total amount in the fund each year to pay
5 for administrative costs justifiable and approved in the annual
6 budget process, incurred by the authority in administering the
7 provisions of P.L.2007, c.340 (C.26:2C-45 et al.) and in
8 administering programs to reduce the emissions of greenhouse
9 gases.

10 d. The State Comptroller shall conduct or supervise
11 independent audit and fiscal oversight functions of the fund and its
12 uses.

13 (cf: P.L.2010, c.57, s.5)

14

15 13. Section 12 of P.L.1999, c.23 (C.48:3-60) is amended to read
16 as follows:

17 12. a. Simultaneously with the starting date for the
18 implementation of retail choice as determined by the board pursuant
19 to subsection a. of section 5 of **[this act] P.L.1999, c.23 (C.48:3-53**
20 **et seq.)**, the board shall permit each electric public utility and gas
21 public utility to recover some or all of the following costs through a
22 societal benefits charge that shall be collected as a non-bypassable
23 charge imposed on all electric public utility customers and gas
24 public utility customers, as appropriate:

25 (1) The costs for the social programs for which rate recovery
26 was approved by the board prior to April 30, 1997. For the purpose
27 of establishing initial unbundled rates pursuant to section 4 of **[this**
28 **act] P.L.1999, c.23 (C.48:3-53 et seq.)**, the societal benefits charge
29 shall be set to recover the same level of social program costs as is
30 being collected in the bundled rates of the electric public utility on
31 the effective date of **[this act] P.L.1999, c.23 (C.48:3-53 et seq.)**.
32 The board may subsequently order, pursuant to its rules and
33 regulations, an increase or decrease in the societal benefits charge
34 to reflect changes in the costs to the utility of administering existing
35 social programs. Nothing in **[this act] P.L.1999, c.23 (C.48:3-**
36 **53 et seq.)** shall be construed to abolish or change any social
37 program required by statute or board order or rule or regulation to
38 be provided by an electric public utility. Any such social program
39 shall continue to be provided by the utility until otherwise provided
40 by law, unless the board determines that it is no longer appropriate
41 for the electric public utility to provide the program, or the board
42 chooses to modify the program;

43 (2) Nuclear plant decommissioning costs;

44 (3) The costs of demand side management programs that were
45 approved by the board pursuant to its demand side management
46 regulations prior to April 30, 1997. For the purpose of establishing

1 initial unbundled rates pursuant to section 4 of **[this act]** P.L.1999,
2 c.23 (C.48:3-53 et seq.), the societal benefits charge shall be set to
3 recover the same level of demand side management program costs
4 as is being collected in the bundled rates of the electric public
5 utility on the effective date of **[this act]** P.L.1999, c.23 (C.48:3-
6 53 et seq.). Within four months of the effective date of **[this act]**
7 P.L.1999, c.23 (C.48:3-53 et seq.), and every four years thereafter,
8 the board shall initiate a proceeding and cause to be undertaken a
9 comprehensive resource analysis of energy programs, and within
10 eight months of initiating such proceeding and after notice,
11 provision of the opportunity for public comment, and public
12 hearing, the board, in consultation with the Department of
13 Environmental Protection, shall determine the appropriate level of
14 funding for energy efficiency , plug-in electric vehicles and plug-in
15 electric vehicle charging infrastructure, and Class I renewable
16 energy programs that provide environmental benefits above and
17 beyond those provided by standard offer or similar programs in
18 effect as of the effective date of **[this act]** P.L.1999, c.23 (C.48:3-
19 53 et seq.); provided that the funding for such programs be no less
20 than 50 **[%]** percent of the total Statewide amount being collected
21 in **[public]** electric and gas public utility rates for demand side
22 management programs on the effective date of **[this act]** P.L.1999,
23 c.23 (C.48:3-53 et seq.) for an initial period of four years from the
24 issuance of the first comprehensive resource analysis following the
25 effective date of **[this act]** P.L.1999, c.23 (C.48:3-53 et seq.), and
26 provided that 25 **[%]** percent of this amount shall be used to
27 provide funding for Class I renewable energy projects in the State.
28 In each of the following fifth through eighth years, the Statewide
29 funding for such programs shall be no less than 50 percent of the
30 total Statewide amount being collected in **[public]** electric and gas
31 public utility rates for demand side management programs on the
32 effective date of **[this act]** P.L.1999, c.23 (C.48:3-53 et seq.),
33 except that as additional funds are made available as a result of the
34 expiration of past standard offer or similar commitments, the
35 minimum amount of funding for such programs shall increase by
36 an additional amount equal to 50 percent of the additional funds
37 made available, until the minimum amount of funding dedicated to
38 such programs reaches \$140,000,000 total. After the eighth year
39 the board shall make a determination as to the appropriate level of
40 funding for these programs. Such programs shall include a program
41 to provide financial incentives for the installation of Class I
42 renewable energy projects in the State, and the board, in
43 consultation with the Department of Environmental Protection, shall
44 determine the level and total amount of such incentives as well as
45 the renewable technologies eligible for such incentives which shall
46 include, at a minimum, photovoltaic, wind, and fuel cells. The

1 board shall simultaneously determine, as a result of the
2 comprehensive resource analysis, the programs to be funded by the
3 societal benefits charge, the level of cost recovery and performance
4 incentives for old and new programs and whether the recovery of
5 demand side management programs' costs currently approved by the
6 board may be reduced or extended over a longer period of time.
7 The board shall make these determinations taking into consideration
8 existing market barriers and environmental benefits, with the
9 objective of transforming markets, capturing lost opportunities,
10 making energy services more affordable for low income customers
11 and eliminating subsidies for programs that can be delivered in the
12 marketplace without electric public utility and gas public utility
13 customer funding;

14 (4) Manufactured gas plant remediation costs, which shall be
15 determined initially in a manner consistent with mechanisms in the
16 remediation adjustment clauses for the electric public utility and gas
17 public utility adopted by the board; and

18 (5) The cost, of consumer education, as determined by the
19 board, which shall be in an amount that, together with the consumer
20 education surcharge imposed on electric power supplier license fees
21 pursuant to subsection h. of section 29 of **[this act]** P.L.1999, c.23
22 (C.48:3-53 et seq.) and the consumer education surcharge imposed
23 on gas supplier license fees pursuant to subsection g. of section 30
24 of **[this act]** P.L.1999, c.23 (C.48:3-53 et seq.), shall be sufficient
25 to fund the consumer education program established pursuant to
26 section 36 of **[this act]** P.L.1999, c.23 (C.48:3-53 et seq.).

27 b. There is established in the Board of Public Utilities a
28 nonlapsing fund to be known as the "Universal Service Fund." The
29 board shall determine: the level of funding and the appropriate
30 administration of the fund; the purposes and programs to be funded
31 with monies from the fund; which social programs shall be provided
32 by an electric public utility as part of the provision of its regulated
33 services which provide a public benefit; whether the funds
34 appropriated to fund the "Lifeline Credit Program" established
35 pursuant to P.L.1979, c.197 (C.48:2-29.15 et seq.), the "Tenants'
36 Lifeline Assistance Program" established pursuant to P.L.1981,
37 c.210 (C.48:2-29.31 et seq.), the funds received pursuant to the Low
38 Income Home Energy Assistance Program established pursuant to
39 42 U.S.C. s.8621 et seq., and funds collected by electric and natural
40 gas utilities, as authorized by the board, to offset uncollectible
41 electricity and natural gas bills should be deposited in the fund; and
42 whether new charges should be imposed to fund new or expanded
43 social programs.

44 (cf: P.L.1999, c.23, s.12)

45

46 14. This act shall take effect immediately.

1

2

3

Establishes goals and incentives for increased use of plug-in

4

electric vehicles in NJ.

SENATE, No. 2252

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED MARCH 5, 2018

Sponsored by:

Senator BOB SMITH

District 17 (Middlesex and Somerset)

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

SYNOPSIS

Establishes Statewide public plug-in electric vehicle charging system.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the establishment of a Statewide plug-in
2 electric vehicle charging system, and supplementing Title 27 and
3 Title 48 of the Revised Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. The Legislature finds and declares that plug-in electric
9 vehicle technology has improved significantly, and vehicles with
10 longer range and lower costs are now available as a viable
11 alternative to a fossil-fueled vehicle for many mainstream
12 customers, with more makes and models to be introduced over the
13 next several years; that legislation has already been proposed to
14 adopt goals for the expanded use of electric vehicles and the
15 establishment of the infrastructure required to support it; that
16 widespread use of plug-in electric vehicles is constrained by
17 consumer concerns over range anxiety and the lack of charging
18 infrastructure; that public acceptance of these vehicles is therefore
19 strongly dependent on the availability of public charging
20 infrastructure that is reliably available, equitably accessible,
21 conveniently useable by the public, and both strategically located
22 and highly visible; and that the needed infrastructure does not yet
23 exist within the State to the extent required.

24 The Legislature therefore determines that there is an important
25 need for public and private sector investment in public charging
26 infrastructure and development of general conditions that ensure
27 long term market growth, as well the benefit of a State-enabled
28 initiative focused on creating a critical mass of essential public
29 charging infrastructure short term as a high priority, as needed to
30 address existing market barriers related to range anxiety.

31
32 2. As used in this act:

33 “Board” means the Board Of Public Utilities.

34 “Community location” means a location established to primarily,
35 but not exclusively, serve local plug-in electric vehicle drivers in a
36 municipal center or other area commonly accessible to drivers
37 residing or working in the area or along the route on which the
38 location is established. “Community location” shall not mean a
39 corridor location.

40 “Competitive solution provider” means a non-utility entity that
41 develops projects, provides electric vehicle service equipment or
42 related equipment, or provides related services for the development,
43 design, installation, and operation of charging locations and the
44 associated electric vehicle service equipment.

45 “Corridor location” means a DCFC location along, or within one
46 mile of, travel corridor roadways which is intended to serve long
47 range as well as local plug-in electric vehicle drivers.

1 “Direct Current Fast Charger” or “DCFC” means electric vehicle
2 service equipment that provides at least 50 kilowatts of direct
3 current electrical power for charging a plug-in electric vehicle
4 through a standardized connector, and which is approved for
5 installation for this purpose under the National Electric Code
6 through Underwriters Laboratories Certification or equivalent.

7 “Electric vehicle service equipment” or “EVSE” means
8 equipment, including but not limited to devices that provide electric
9 power in appropriate form for the on-board battery charging of a
10 plug-in electric vehicle and which may include switching controls,
11 point-of-sale equipment and functions, network connectivity, a user
12 interface, and other controls. “EVSE” may deliver either alternating
13 current or direct current electricity and is designated at different
14 levels according to industry standards and depending on the
15 electrical power rating of the equipment.

16 “Level 2 EVSE” means an electric vehicle service equipment
17 device that provides a plug-in electric vehicle with single phase
18 alternating current electrical power at 208-240Vac, at up to 80
19 amperes, through a standardized plug connector in compliance with
20 SAE J1772 standards, or an equivalent wireless power transfer
21 interface.

22 “Light duty plug-in electric vehicle” or “Light duty PEV” means
23 any two-axle, four wheel plug-in electric vehicle, designed
24 primarily for passenger travel or light duty commercial use, and
25 approved for travel on public roads. “Light duty PEV” includes,
26 but is not limited to, vehicles commonly referred to as cars,
27 minivans, sport utility vehicles, cross-overs, and pick-up trucks.

28 “Location” means a publicly accessible parking space or
29 collection of spaces, with visible signage designating the parking
30 space as a parking space for charging plug-in electric vehicles only,
31 but available for such use by the public without access restriction.

32 “Owner or operator” means an entity that owns and operates
33 EVSE equipment for public use by PEV drivers. An
34 “owner/operator” may be a site host or a third party contracted by
35 the site host for the purposes of owning and operating EVSE on the
36 site host’s property.

37 “Plug-in electric vehicle” or “PEV” means any vehicle that
38 includes a battery or equivalent energy storage device that can be
39 charged from an electricity supply external to the vehicle through
40 an electric plug. PEVs include pure battery electric vehicles and
41 plug-in hybrid vehicles that can be charged from a source of
42 electricity external to the vehicle, but shall not include hybrid
43 vehicles that do not include a plug for charging from an external
44 source. PEVs may be light duty, medium duty, or heavy duty
45 vehicles.

46 “Range anxiety” means consumer concerns that public electric
47 charging infrastructure may not be widely available, resulting in
48 fewer electric vehicle purchases due to perceived risks that plug-in

1 electric vehicle drivers may be stranded with a fully discharged
2 battery and no source for recharging it.

3 “Site host” means an owner of real estate in the State, located
4 within the territory of a utility, proposing to serve as a publicly
5 accessible location.

6 “Travel corridor” means the subset of public roads designated by
7 the Department of Transportation pursuant to section 6 of this act as
8 providing a travel corridor through and around the State due to their
9 inclusion of, or access to, the Garden State Parkway, the New
10 Jersey Turnpike, the Atlantic City Expressway, and federal
11 interstate highways and numbered federal or State roads with at
12 least 20 miles of roadway located in the State.

13

14 3. a. The Board of Public Utilities, the Department of
15 Environmental Protection, the Department of Transportation, the
16 New Jersey Transit Corporation, the New Jersey Turnpike
17 Authority, the South Jersey Transportation Authority, and the
18 Department of Community Affairs shall establish, with
19 representatives of their respective entities, a working group to
20 develop a Statewide plan for installing at least 600 public DCFC
21 and Level 2 public community chargers at 300 locations or more in
22 the State by December 31, 2020.

23 b. The working group established pursuant to subsection a. of
24 this section shall incorporate in the Statewide plan:

25 (1) strategies for creating general market conditions necessary
26 for long term development of public electric vehicle charging
27 infrastructure that fully address range anxiety, ensure attainment of
28 the goals established in P.L. , c. (C.) (pending before the
29 Legislature as Senate Bill No. 1975 of 2018-2019), and establish
30 minimum standards for consistent, reliable, and convenient access
31 to highly visible public electric vehicle charging infrastructure as
32 provided in this act;

33 (2) methods for monitoring and compiling data on Statewide
34 PEV purchases, EVSE use, and other statistics for developing and
35 maintaining an effective charging infrastructure; and

36 (3) Statewide marketing and consumer awareness campaigns
37 that highlight the availability of public EVSE infrastructure in the
38 State, with a specific focus on addressing consumer concerns about
39 range anxiety and the availability of DCFC EVSE, to be
40 implemented by the entities in the working group.

41 c. To fulfill its duties pursuant to this act, the working group
42 shall consult with other State agencies, stakeholders, the public
43 electric utilities, and any other entities with an interest in promoting
44 the use of the public electric vehicle charging system.

45

46 4. a. No later than December 31, 2020, the New Jersey
47 Turnpike Authority shall establish publicly accessible electric
48 vehicle service equipment parking spaces for the exclusive use by

1 plug-in electric vehicles at each of the service areas along the New
2 Jersey Turnpike and the Garden State Parkway.

3 b. The authority shall provide at least two parking spaces at
4 each location for Direct Current Fast Chargers by December 31,
5 2020, with the electrical infrastructure to support future installation
6 of at least eight spaces for DCFC and at least four spaces with
7 Level 2 EVSE at each location. The authority shall monitor and
8 record the use and wait times for the EVSE at all of the service
9 areas and shall expand the number of spaces served by EVSE as
10 needed to ensure reliable and convenient use by the public.

11 c. The authority may charge PEV drivers using the EVSE a
12 reasonable amount to recover costs associated with installation and
13 operation of EVSE for public use, either directly, or through third
14 parties that have been authorized to provide PEV charging services
15 at each service area.

16 d. The authority shall pursue public-private partnerships for the
17 purpose of facilitating the development, funding, and operation of
18 public electric vehicle charging infrastructure required pursuant to
19 this act.

20 e. For EVSE located on State agency-owned properties, or on
21 properties owned or controlled by local government units, and
22 which are owned or operated by a third party, charges for service
23 may include a fee that is transferable to the State agency or local
24 government unit as a concession pursuant to a written agreement
25 between the owner/operator and the State agency or local
26 government unit.

27
28 5. a. No later than December 31, 2020, the South Jersey
29 Transportation Authority shall establish publicly accessible electric
30 vehicle service equipment parking spaces for the exclusive use by
31 plug-in electric vehicles at each of the service areas along the
32 Atlantic City Expressway.

33 b. The authority shall provide at least two parking spaces at
34 each location for Direct Current Fast Chargers by December 31,
35 2020, with the electrical infrastructure to support future installation
36 of at least eight spaces for DCFC and at least four spaces with
37 Level 2 EVSE at each location. The authority shall monitor and
38 record the use and wait times for the EVSE at all of the service
39 areas and shall expand the number of spaces served by EVSE as
40 needed to ensure reliable and convenient use by the public.

41 c. The authority may charge PEV drivers using the EVSE a
42 reasonable amount to recover costs associated with installation and
43 operation of EVSE for public use, either directly, or through third
44 parties that have been authorized to provide PEV charging services
45 at each service area.

46 d. The authority shall pursue public-private partnerships for the
47 purpose of facilitating the development, funding, and operation of

1 public electric vehicle charging infrastructure required pursuant to
2 this act.

3 e. For EVSE located on State agency-owned properties, or on
4 properties owned or controlled by local government units, and
5 which are owned or operated by a third party, charges for service
6 may include a fee that is transferable to the State agency or local
7 government unit as a concession pursuant to a written agreement
8 between the owner/operator and the State agency or local
9 government unit.

10

11 6. a. Within 180 days after the effective date of this act, the
12 Department of Transportation shall designate the travel corridor and
13 shall expand the designation to include additional public roads as
14 necessary as determined by the department to achieve the density of
15 public DCFC locations sufficient to reduce range anxiety and
16 provide efficient and effective access to public electric vehicle
17 servicing equipment.

18 b. The department, in cooperation and consultation with the
19 New Jersey Turnpike Authority and the South Jersey Transportation
20 Authority, shall establish consistent and effective signage along the
21 travel corridor and local roadways in the State and at EVSE
22 locations to inform the public of EVSE locations, provide guidance
23 for reaching the publicly accessible EVSE locations, and indicate
24 the type of EVSE available at the location. The signage shall
25 indicate the availability of DCFC EVSE when available.

26 c. The department shall coordinate with federal authorities to
27 ensure the use of standardized signage indicating the availability of
28 nearby EVSE along federal interstate highways, similar to current
29 signage in use regarding fuel and other local amenities.

30

31 7. The Department of Environmental Protection, in
32 consultation with other agencies and stakeholders, shall establish
33 new programs, procedures, rules and regulations, and guidelines as
34 required to facilitate development of public charging infrastructure
35 consistent with the Statewide plan established pursuant to section 3
36 of this act.

37

38 8. The Department of Community Affairs, in consultation with
39 other agencies and stakeholders, shall establish new programs,
40 procedures, rules and regulations, and guidelines as required to
41 facilitate development of public charging infrastructure by local
42 government units of the State, including issuance of formal
43 guidance that allows local government units to utilize the
44 competitive contracting provisions of the "Local Public Contracts
45 Law," P.L.1971, c.198 (C.40A:11-1 et seq.), in order to partner with
46 private parties for the design, permitting, financing, installation,
47 operation, and management of all EVSE installations made
48 available to the public.

- 1 9. a. As soon as practicable after the effective date of this act,
2 the Board of Public Utilities shall establish a Statewide plug-in
3 electric vehicle charging infrastructure to be known as the Essential
4 Public Charging Network or EPCN.
- 5 b. The board shall ensure development of an Essential Public
6 Charging Network that provides a critical mass of public charging
7 infrastructure that seeds the market during its early stages of
8 development, and provides a basic level of high impact public
9 charging infrastructure sufficient to minimize range anxiety.
- 10 c. The board shall ensure that the network:
- 11 (1) is reliably available for use by all PEV drivers in the State at
12 all times;
- 13 (2) is equitably accessible by all PEV drivers in the State;
- 14 (3) provides convenient use by the public without unreasonable
15 commercial or technical restrictions;
- 16 (4) has locations that are highly visible along public roadways
17 and through on-line resources;
- 18 (5) provide a consumer experience that addresses range anxiety;
- 19 (6) provides both DCFC EVSE that provides a quick charge
20 transaction of short duration, and Level 2 EVSE that provides
21 charge transactions that are longer duration and support PEVs
22 without DCFC capability;
- 23 (7) all DCFC EVSE that are part of the Essential Public
24 Charging Network is a typical PEV with a 60 kilowatt-hour battery
25 can achieve an 80% state of charge in 20 minutes or less;
- 26 (8) includes at least 100 DCFC locations Statewide along travel
27 corridors by December 31, 2020, with geographic density of no
28 more than 25 miles between locations, in addition to any locations
29 or EVSE already in place as of January 1, 2018;
- 30 (9) includes at least 200 DCFC locations Statewide at
31 community locations by December 31, 2020, in addition to any
32 locations or EVSE already in place as of January 1, 2018;
- 33 (10) provides at least 500 publically accessible Level 2 EVSE by
34 December 31, 2020, in addition to any locations or EVSE already in
35 place as of January 1, 2018;
- 36 (11) provides at least two independently operable EVSE;
- 37 (12) includes electric infrastructure that is ready to support
38 future high power requirements of at least 350 kilowatts of Direct
39 Current per EVSE;
- 40 (13) provides for each DCFC EVSE to support at least two plug
41 types, compliant with CHAdeMO and CCS standards as defined at
42 the time of installation, and other additional standards as may be
43 introduced based on technology improvements and approved for
44 inclusion by the board;
- 45 (14) allows open access and use by the public, which shall not be
46 restricted by membership, vehicle type, or other eligibility
47 requirements; and

1 (15) provides at each EVSE location payment methods that allow
2 any driver to make use of the public charging EVSE;

3 d. The board may define additional requirements for the
4 Essential Public Charging Network, including standards to ensure
5 reliable access, equitable use, consumer consistency and
6 convenience, assurance of long term operation and minimization of
7 asset stranding, payment method and solution interoperability, and
8 other factors as deemed necessary to achieve the goals of this act.

9 e. This section shall not prohibit or displace any other charging
10 infrastructure development projects or programs that may be
11 pursued in addition to the development of the Essential Public
12 Charging Network.

13

14 10. a. Within 180 days after the effective date of this act, each
15 electric public utility in the State shall submit to the board a
16 proposal for the construction and long term operation of the
17 Essential Public Charging Network, including but not limited to
18 development and operation of electrical infrastructure, financing
19 plans, financial incentives, new rate designs and tariffs, partnership
20 programs with local government units, marketing and other
21 consumer awareness building initiatives, or other programs that
22 support the goals of this act.

23 b. The electric public utility may propose tariffs or other
24 methods that ensure electricity costs that allow owners or operators
25 of EVSE for public use to charge PEV drivers competitive rates,
26 and such tariffs, programs, or methods are recoverable through
27 rates. Such tariffs or other methods may be approved for EVSE that
28 are part of the Essential Public Charging Network, or for any other
29 EVSE that is available for public use and meet any requirements
30 deemed necessary by the board.

31 c. Any proposal submitted within the year preceding the
32 effective date of this act that is consistent with the goals and
33 requirements established by this act shall be considered fulfilling
34 the requirements of this subsection.

35 d. No later than 180 days after receipt of a proposal submitted
36 pursuant to subsection a. of this section, the Board of Public
37 Utilities shall review and issue a determination approving, rejecting,
38 or modifying and approving the proposal. The board shall apply the
39 following criteria for this review and determination:

40 (1) The proposal is consistent with and supports attaining the
41 goals of this act;

42 (2) The expenditures estimated and set forth in the proposal are
43 reasonable for attaining the goals of this act;

44 (3) The proposal (a) offers competitive solution providers for
45 project development where feasible, (b) sourcing of DCFC and
46 Level 2 EVSE, and other services to implement and operate the
47 locations for public use, (c) leveraging of private investment, and

1 (d) promotes development of a competitive market for continued
2 growth in public charging infrastructure;

3 (4) The proposal does not limit the ability of publicly regulated
4 electric public utilities from owning and operating locations and
5 EVSE that are part of the Essential Public Charging Network if
6 approved by the board, and any such installations are sourced from
7 competitive solution providers; and

8 (5) The proposal ensures that all DCFC and Level 2 EVSE
9 intended for public use are developed in a manner and at locations
10 that provide public benefit.

11 e. The board order approving, rejecting, or modifying a utility
12 proposal shall provide for and approve recovery through utility
13 rates for all reasonable costs, which may be treated as regulatory
14 assets. Proposed programs shall use external funding sources where
15 feasible, in addition to ratepayer funds as recovered by utilities
16 through rates.

17

18 11. Unless otherwise specifically provided pursuant to Title 48
19 of the Revised Statutes or any other federal or State law, a person
20 owning, controlling, operating, or managing an electric vehicle
21 charging station shall not be deemed an electric public utility solely
22 because of that ownership, control, operation, or management. The
23 charging of an electric vehicle shall be deemed a service and not a
24 sale of electricity by an electric power supplier or basic generation
25 service provider pursuant to P.L.1999, c.23 (C.48:3-49 et al.).

26

27 12. This act shall take effect immediately.

28

29

30

STATEMENT

31

32 This bill would establish a Statewide public plug-in electric
33 vehicle charging system. The bill directs a working group of the
34 Board of Public Utilities, the Department of Environmental
35 Protection, the Department of Transportation, the New Jersey
36 Transit Corporation, the New Jersey Turnpike Authority, the South
37 Jersey Transportation Authority, and the Department of Community
38 Affairs to develop a Statewide plan for installing at least 600 public
39 DC fast chargers and Level 2 public community chargers at 300
40 locations or more in the State by December 31, 2020.

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, No. 2252**

STATE OF NEW JERSEY

DATED: OCTOBER 15, 2018

The Senate Environment and Energy Committee favorably reports a committee substitute for Senate Bill No. 2252.

This committee substitute would establish goals, initiatives, and programs to encourage and support the use of plug-in electric vehicles in the State.

Specifically, section 3 of the substitute would establish State goals for the use of plug-in electric vehicles and the development of plug-in electric vehicle charging infrastructure to support that use. Under the substitute, no later than December 31, 2020, and every five years thereafter, the Department of Environmental Protection (DEP) would be required to prepare and submit to the Governor and the Legislature a report that: (1) assesses the state of the plug-in electric vehicle market in New Jersey; (2) measures the State's progress toward achieving the goals outlined in the substitute; (3) identifies barriers to the achievement of the goals; and (4) makes recommendations for legislative or regulatory action to address those barriers.

Section 4 of the substitute would establish the Electric Vehicle Working Group, to be composed 19 members, including the Commissioner of Environmental Protection, the President of the Board of Public Utilities, the Commissioner of Transportation, the Executive Director of the New Jersey Transit Corporation, the Executive Director of New Jersey Turnpike Authority, the Executive Director of South Jersey Transportation Authority, the Commissioner of Community Affairs, the Executive Director of the Port Authority of New York and New Jersey, the Chief Executive Officer of the New Jersey Economic Development Authority, and the Director of the Division of Rate Counsel in, but not of, the Department of Treasury, or their respective designees, and various other stakeholders and subject matter experts.

The working group would be required to develop, and annually update, a Statewide Vehicle Charging Infrastructure Plan, and monitor implementation of that plan and its effectiveness in advancing the goals established in the substitute. Subsection h. of section 4 of the substitute outlines the information to be incorporated into the State Vehicle Charging Infrastructure Plan. The working group would coordinate the development of the plan with the development and

revision of the Statewide Energy Master Plan. The working group would also develop a public education program, to be implemented by DEP, to inform the public about plug-in electric vehicles and the availability of vehicle charging infrastructure. The working group would issue a final report on the Statewide Vehicle Charging Infrastructure Plan during the calendar year 2035 and dissolve 30 days after the report is issued.

Under the substitute, the Board of Public Utilities (“the board”), in cooperation with electric public utilities and various government agencies, would be required to develop the essential public charging network. The network would: (1) provide sufficient public charging infrastructure to support a significant expansion in the use of plug-in electric vehicles in the State and consumer confidence in using these vehicles; (2) integrate with the electric distribution system and the electric transmission system; and (3) provide a level of public charging infrastructure sufficient to minimize consumer range anxiety. Each electric public utility in the State would be required to implement the essential public charging network in accordance with the requirements of subsections b. and c. of section 9 of the substitute.

Within one year after the effective date of the substitute, each electric public utility in the State would be required to submit to the board a proposed plan for the construction and long-term operation of the essential public charging network within its service territory in accordance with the requirements of section 10 of the substitute. No later than 180 days after receipt of a proposed plan, the board would be required to review and issue a determination approving, rejecting, or approving with modifications a utility’s plan. The board order approving, or approving with modifications, a utility’s proposed plan would provide for and approve full and timely recovery, through a separate utility rate clause, all reasonable costs, which may be included in the utility’s rate base as either a capital or regulatory asset. Utilities would be permitted to use funding sources other than recovering costs through customer rates whenever feasible. The substitute authorizes utilities to propose programs, incentives, tariffs, and initiatives to support the development of vehicle charging infrastructure.

Under the substitute, the New Jersey Turnpike Authority, the South Jersey Transportation Authority, and the Department of Transportation would be required to establish publicly-accessible electric vehicle charging parking spaces for the exclusive use of plug-in electric vehicles at their respective service areas. These agencies would be directed to charge a fee to plug-in electric vehicle drivers using the charging equipment in a reasonable amount to recover costs associated with installation and operation of the charging equipment for public use, either directly or through contracted third-parties.

No later than 90 days after the effective date of the substitute, the board, in cooperation with the State Treasurer and the DEP, would be required to establish and implement the “Light Duty Plug-in Electric

Vehicle Rebate Program” for the purpose of encouraging the purchase of light duty plug-in electric vehicles. The board would implement the rebate program until June 30 of the 10th year after the rebate program begins, or after \$300 million in rebate disbursements have been paid from the fund, whichever occurs first. The board would establish the rebate as a one-time payment to the purchaser of a new light duty plug-in electric vehicle in an amount set and calculated by the department as equal to at least \$25 per mile of the eligible vehicle’s electric power range as certified by the U.S. Environmental Protection Agency and determined by the DEP, up to a maximum of \$5,000 per eligible vehicle. The board may adjust the rebate amount as necessary to achieve the goals outlined in the substitute, but not more than once per aggregate disbursement of \$100 million in rebates. The board, in consultation with the working group, would develop and implement a Statewide public education program to publicize the availability of the rebates under the substitute.

An “eligible” vehicle is defined in the substitute as a new light duty plug-in electric vehicle with a manufacturer’s suggested retail price of \$55,000 or less, purchased after the effective date of the substitute. “Plug-in electric vehicle” means a vehicle that has a battery or equivalent energy storage device that can be charged from an electricity supply external to the vehicle with an electric plug, and includes a plug-in hybrid vehicle. However, notwithstanding other provisions of the substitute, a light duty plug-in hybrid vehicle would not qualify for a rebate after December 31, 2022.

Under the substitute, a vehicle dealership may, in its discretion, provide a purchaser the option to have the amount of the electric vehicle rebate deducted from the final price of an eligible vehicle. The dealer would then apply to the State Treasurer to receive the rebate. A purchaser who does not receive the rebate at the time of purchase may apply directly to the State Treasurer for the rebate. The board would be required to keep track of, and provide to the public, up-to-date information about rebate availability. Sections 17 through 19 establish the process by which an eligible recipient must apply to the Department of Treasury to receive the rebate, and the process by which the Department of Treasury must approve or deny an application. Section 16 of the substitute would establish the “Plug-in Electric Vehicle Rebate Fund” to be used by the Department of Treasury solely to make rebate disbursements to eligible recipients. The board would be authorized to deposit into the fund moneys received from the societal benefits charge established pursuant to section 11 of P.L.1999, c.23 (C.48:3-60), moneys made available to the board pursuant to the implementation of the Regional Greenhouse Gas Initiative (RGGI) and P.L.2007, c.340 (C.26:2C-45 et seq.), and moneys available from other funding sources as determined by the board.

The substitute amends existing law to address implementation issues under the State's adoption of the California Low Emission Vehicle Program and its zero emissions vehicle requirements. The substitute would require the Commissioner of Environmental Protection to petition the California Air Resources Board and the Governor of California to revise the State's rules and regulations to provide that the vehicles "sold or leased" in the State meet program requirements rather than vehicles "produced and delivered for sale or lease." Upon revision by the California Air Resources Board, the term "produced and delivered for sale" in existing State law would be construed to mean "sold or leased," until State law is revised.

The substitute provides that the first \$20 million of funds received by the State each year from participation in RGGI would be deposited into the "Plug-in Electric Vehicle Rebate Fund" established in the substitute. Finally, the substitute would also permit the costs of electric vehicle rebates disbursed under the substitute to be recovered through the societal benefits charge, and it would authorize the board, pursuant to its rules and regulations, to order an increase in the societal benefits charge to reflect these costs.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR

SENATE COMMITTEE SUBSTITUTE FOR

SENATE, No. 2252

STATE OF NEW JERSEY

DATED: JANUARY 9, 2020

The Senate Budget and Appropriations Committee reports favorably a Senate Committee Substitute for Senate Bill No. 2252 SCS.

This bill would establish goals and incentives for the increased use of plug-in electric vehicles in New Jersey.

Specifically, section 3 of the bill would establish State goals for the use of plug-in electric vehicles and the development of plug-in electric vehicle charging infrastructure to support that use. The Board of Public Utilities (BPU) and the Department of Environmental Protection (DEP) would be authorized to adopt policies and programs to accomplish the goals established in the bill. No later than December 31, 2020, and every five years thereafter, the DEP would be required to prepare and submit to the Governor and the Legislature a report that: (1) assesses the current state of the plug-in electric vehicle market in New Jersey; (2) measures the State's progress towards achieving the goals established the bill; (3) identifies barriers to the achievement of the goals; and (4) makes recommendations for legislative or regulatory action to address barriers to the achievement of the goals.

The bill would require the BPU to establish and implement a light duty plug-in electric vehicle incentive program for the purpose of encouraging the purchase or lease of new light duty plug-in electric vehicles in the State. The BPU would implement this incentive program until June 30th of the 10th year after establishment of the program, and provide at least \$30 million in disbursements under the program each year. Any incentive offered under this program would take the form of a one-time payment to the purchaser or lessee of an eligible vehicle. An "eligible vehicle" is any new light duty plug-in electric vehicle with an MSRP of below \$55,000 purchased or leased after the effective date of the bill and registered in New Jersey. For the first year an incentive is offered, the amount of the incentive would be equal to \$25 per mile of EPA-rated electric-only range, up to a maximum of \$5,000 per eligible vehicle. For each subsequent year, the BPU would be authorized to change the amount of the incentive

and the manner in which an incentive is calculated, provided that no incentive would exceed \$5,000 per eligible vehicle. The BPU would be authorized to develop additional incentives consistent with the goals of the bill. A light duty plug-in hybrid vehicle would qualify for an incentive under the program until December 31, 2022.

Under the bill, the seller or lessor of an eligible vehicle would be required to offer the light duty plug-in electric vehicle incentive in conjunction with, and in addition to, any other incentives offered by the seller or lessor of an eligible vehicle. The seller or lessor of an eligible vehicle would be required to provide the purchaser or lessee the option to have the amount of the light duty plug-in electric vehicle incentive deducted from the final negotiated and agreed upon sale or lease price of the eligible vehicle. The full amount of the incentive would then be passed through to the purchaser or lessee in full and payment thereof would be effective immediately at the time of the final sale or lease and transfer of the eligible vehicle to the purchaser or lessee. The BPU would be required to establish a process for reimbursing a seller or lessor of an eligible vehicle the cost of an incentive provided by the seller or lessor under the bill.

In addition to the light duty plug-in electric vehicle incentive program established in the bill, the BPU would be authorized to establish and implement an incentive program for the purchase and installation of in-home electric vehicle service equipment. This incentive program may only be implemented until June 30th of the 10th year after establishment of the program. The incentives would take the form of a one-time payment to the person purchasing the in-home electric vehicle service equipment. The amount of the incentive would be determined by the BPU, but would not exceed \$500 per person. Any incentive a person receives for in-home electric vehicle service equipment under the program would be in addition to any incentive the person receives for the purchase or lease of a new light duty plug-in electric vehicle. The BPU would determine the form and manner of the application for, and the disbursement of, incentives pursuant to this section.

The bill would establish a special, nonlapsing fund in the BPU to be known as the Plug-in Electric Vehicle Incentive Fund. The bill would require the BPU to deposit into the fund, each year, \$30 million of moneys received from the societal benefits charge established pursuant to section 12 of P.L.1999, c.23 (C.48:3-60), moneys made available to the BPU pursuant to the implementation of the Regional Greenhouse Gas Initiative and P.L.2007, c.340 (C.26:2C-45 et seq.), and moneys available from other funding sources, as determined by the BPU, to make disbursements under the light duty plug-in electric vehicle incentive program. The BPU would be permitted to deposit into the fund, each year, such additional amounts from the societal benefits charge, as the BPU deems necessary, to make disbursements under an incentive program for in-home electric vehicle service

equipment. Moneys in the fund would be used by the BPU solely for the purpose of disbursing incentives under the bill. The BPU would be permitted to recover any administrative costs incurred in connection with the bill separately from moneys received from the societal benefits charge.

The bill would require the BPU to develop a website, accessible by the public, that provides up-to-date information about the availability of incentives established under the bill. The bill would also require the DEP to develop and implement a public education program to educate consumers about the availability and benefits of plug-in electric vehicles, the State goals for plug-in electric vehicle deployment, and the availability of incentives established under the bill.

The bill would provide that, unless otherwise provided for in law, an entity owning, controlling, operating, or managing electric vehicle service equipment would not be deemed an electric public utility solely because of such ownership, control, operation, or management. The charging of a plug-in electric vehicle would be deemed a service and not a sale of electricity by an electric power supplier or basic generation service provider under the "Electric Discount and Energy Competition Act," P.L.1999, c.23 (C.48:3-49 et al.).

Finally, the bill would amend section 7 of P.L.2007, c.340 (C.26:2C-51) (concerning the use of moneys in the "Global Warming Solutions Fund") and section 12 of P.L.1999, c.23 (C.48:3-60) (concerning the use of moneys received from the societal benefits charge) to reflect that moneys from those sources may be used for the purposes of promoting and incentivizing plug-in electric vehicles and related charging equipment.

FISCAL IMPACT:

The bill could result in an increase in State revenues and State expenditures, each of an indeterminate magnitude, mostly concentrated in the 10-year period after the bill's enactment. The bill's fiscal impact will mostly be determined by the decisions of the Board of Public Utilities (BPU) as to the allocation of societal benefits charge revenue to the purposes of the bill, and whether those decisions will increase or reallocate current levels of revenue and expenditures, respectively, from that source. For example, to meet the bill's mandate that at least \$30 million in societal benefits charge revenue be deposited annually in the Plug-in Electric Vehicle Incentive Fund, the BPU could either increase or reallocate revenue from that source, and could reduce spending on current programs in so doing. Other impacts of the bill will be to increase by an indeterminate amount BPU administrative costs to implement the bill's requirements, and to increase by an indeterminate amount the Department of Environmental Protection's expenditures in order to undertake a public consumer education program about the plug-in electric vehicles and the State's efforts to incentive their deployment.

LEGISLATIVE FISCAL ESTIMATE
SENATE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE No. 2252
STATE OF NEW JERSEY
218th LEGISLATURE

DATED: JANUARY 16, 2020

SUMMARY

- Synopsis:** Establishes goals and incentives for increased use of plug-in electric vehicles in NJ.
- Type of Impact:** Increased expenditures by State and local government entities; State revenue increases.
- Agencies Affected:** All State and local government entities; Board of Public Utilities; Department of Environmental Protection.

Office of Legislative Services Estimate

Fiscal Impact	<u>10 Year Impact</u>
State Expenditure Increase	Indeterminate
State Revenue Increase	Indeterminate
Local Expenditure Increase	Indeterminate

- The Office of Legislative Services (OLS) finds that the bill could increase State expenditures and revenues by indeterminate amounts. This conclusion is rooted in a lack of information concerning future decisions of the Board of Public Utilities (BPU) concerning the electric vehicle incentive program and the in-home electric vehicle charging equipment incentive program, and whether deposits into the Plug-in Electric Vehicle Incentive Fund (fund) from the Societal Benefits Charge (SBC) to support those programs will result in higher SBC revenues and expenditures as opposed to reallocation of current revenues from existing programs.
- The bill will also result in additional administrative costs for the BPU to establish and run these two incentive programs, and for the Department of Environmental Protection’s (DEP) public education effort to promote these programs and the electric vehicle infrastructure goals. The BPU is permitted to recover its administrative costs separately from the SBC, so revenues from that source may increase in amounts up to those additional costs.
- If the BPU increases the SBC to fund these incentives, the bill will result in a possible indeterminate increase in State and local expenditures from higher retail energy prices. The

amount of the price increase attributable to the bill is contingent, in part, on the decision made by the BPU, which the OLS cannot anticipate. An increase in energy prices will yield indeterminate additional State revenues, given that the increase paid by all ratepayers will be subject to the State sales and use tax.

BILL DESCRIPTION

This bill establishes goals and incentives for the increased use of plug-in electric vehicles in New Jersey and the development of plug-in electric vehicle charging infrastructure to support that use. The BPU and the DEP are authorized to adopt policies and programs to accomplish the goals established in the bill. No later than December 31, 2020, and every five years thereafter, the DEP is required to prepare and submit to the Governor and the Legislature a report that: (1) assesses the current state of the plug-in electric vehicle market in New Jersey; (2) measures the State's progress towards achieving the goals established the bill; (3) identifies barriers to the achievement of the goals; and (4) makes recommendations for legislative or regulatory action to address barriers to the achievement of the goals.

The bill requires the BPU to establish and implement a light duty plug-in electric vehicle incentive program. The BPU is to implement this incentive program until June 30th of the 10th year after establishment of the incentive program, and provide no less than \$30 million for the program each year. The incentive offered under this program is a one-time maximum \$5,000 payment to the purchaser or lessee of an eligible vehicle. For the first year an incentive is offered, the amount of the incentive is equal to \$25 per mile of EPA-rated electric-only range up to the \$5,000 maximum. For each subsequent year, the BPU may change the amount of the incentive and the manner in which an incentive is calculated. The BPU is authorized to develop additional incentives consistent with the goals and provisions of the bill. A light duty plug-in hybrid vehicle does not qualify for an incentive under the program after December 31, 2022.

In addition to the light duty plug-in electric vehicle incentive program, the BPU is authorized to establish and implement an incentive program for the purchase and installation of in-home electric vehicle charging equipment. This incentive program may only be implemented until June 30th of the 10th year after establishment of the program. The incentives are to take the form of a one-time payment to the person purchasing the in-home electric vehicle service equipment. The amount of the incentive will be determined by the BPU, but shall not exceed \$500 per person. Any incentive a person receives for in-home electric vehicle charging equipment under the program is in addition to any incentive the person receives for the purchase or lease of a new light duty plug-in electric vehicle. The BPU will determine the form and manner of the application for, and the disbursement of, incentives pursuant to this section. The bill also authorizes the BPU to develop additional incentives for electric vehicle service equipment other than in-home charging equipment.

The bill establishes a special, nonlapsing fund in the BPU to be known as the Plug-in Electric Vehicle Incentive Fund. The bill requires the BPU to deposit into the fund, each year, \$30 million of moneys received from the societal benefits charge established pursuant to section 12 of P.L.1999, c.23 (C.48:3-60), moneys made available to the BPU pursuant to the implementation of the Regional Greenhouse Gas Initiative and P.L.2007, c.340 (C.26:2C-45 et seq.), and moneys available from other funding sources, as determined by the BPU, to make disbursements under the light duty plug-in electric vehicle incentive program. The BPU is permitted to deposit into the fund such additional amounts from the societal benefits charge as the BPU deems necessary to make disbursement under the incentive program for in-home electric vehicle charging equipment. Moneys in the fund are to be used by the BPU solely for the purpose of disbursing incentives under the bill. The BPU is also authorized to use SBC revenues to fund other plug-in electrical vehicle

charging infrastructure. The BPU is also permitted to recover any administrative costs incurred in connection with the bill separately from moneys received from the societal benefits charge.

The bill requires the BPU to develop a website, accessible by the public, which provides up-to-date information about the availability of incentives established under the bill. The bill also requires the DEP to develop and implement a public education program to educate consumers about the availability and benefits of plug-in electric vehicles, the State goals for plug-in electric vehicle deployment, and the availability of incentives established under the bill.

The bill provides that, unless otherwise provided for in law, an entity owning, controlling, operating, or managing electric vehicle service equipment not be deemed an electric public utility solely because of such ownership, control, operation, or management. The charging of a plug-in electric vehicle is deemed a service and not a sale of electricity by an electric power supplier or basic generation service provider under the "Electric Discount and Energy Competition Act," P.L.1999, c.23 (C.48:3-49 et al.).

Finally, the bill amends section 7 of P.L.2007, c.340 (C.26:2C-51) (concerning the use of moneys in the "Global Warming Solutions Fund") and section 12 of P.L.1999, c.23 (C.48:3-60) (concerning the use of moneys received from the societal benefits charge) to reflect that moneys from those sources may be used for the purposes of promoting and incentivizing plug-in electric vehicles and related charging equipment.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that the bill could increase in State expenditures and revenues by indeterminate amounts. This conclusion is rooted in a lack of information concerning future BPU decisions about the size of the electric vehicle incentive program, the in-home electric vehicle charging equipment incentive program, and whether deposits into the Plug-in Electric Vehicle Incentive Fund (fund) from the SBC to support those programs will result in higher SBC revenues and expenditures, as opposed to reallocation of current revenues from existing programs.

The electric vehicle incentive program is to run for up to 10 years and distribute no less than \$30 million per year towards the purchase of electric vehicles, but not more than \$5,000 per new eligible electric vehicle. If realized, this will result in a minimum expenditure of \$300 million. The bill requires the BPU to deposit at least \$30 million per year for 10 years into the fund from the SBC to pay for the program.

The in-home electric vehicle charging equipment incentive program is to provide grants of up to \$500 each for individuals buying in-home electric vehicle charging equipment. This program is also to run for 10 years. The bill gives discretion to the BPU to determine the size of the grant, up to \$500, and the total annual amount of disbursements from the fund to support the program.

These two programs will have a minimum cost of \$30 million per year, but possibly more depending upon how the BPU decides to administer the programs. The funding sources identified under the bill are deposits from the SBC or money made available to the BPU from participation in the Regional Greenhouse Gas Initiative (RGGI). The bill does not increase RGGI revenue nor does it require the BPU to increase total SBC revenue or spending to implement the bill's programs. To the extent the BPU increases total SBC revenue, because this is a ratepayer supported source of funding, higher retail prices for energy would affect State and local

government entities. The amount of the price increase attributable to the bill is contingent, in part, on the decision made by the BPU, which the OLS cannot anticipate. An increase in the price of energy will yield indeterminate additional State revenues, given that the increase paid by all ratepayers will be subject to the State sales and use tax. The OLS cannot determine the percentage of the total cost of any rate increase that will be borne by State and local governments because of a lack of data on their energy consumption.

The State will also realize additional administrative costs for the BPU to establish and run these two incentive programs, as well as the required website. The BPU is permitted to recover its administrative costs separately from the SBC, so it can be expected that the additional administrative costs will be recovered through utility rates. The cost to state and local government units would be negligible once spread over the cost of the State's entire rate base.

The DEP public education effort to promote the electric vehicle infrastructure goals under the bill will also represent a State cost. The magnitude of these costs are indeterminate due to a lack of foreknowledge about how the DEP will structure the education effort and the various strategies to be employed. The design of the education effort itself will be the primary determinate of its eventual cost.

Section: Authorities, Utilities, Transportation and Communications
Analyst: Patrick Brennan
Principal Fiscal Analyst
Approved: Frank W. Haines III
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

ASSEMBLY, No. 4819

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED DECEMBER 17, 2018

Sponsored by:

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblywoman NANCY J. PINKIN

District 18 (Middlesex)

Assemblyman JAMES J. KENNEDY

District 22 (Middlesex, Somerset and Union)

Co-Sponsored by:

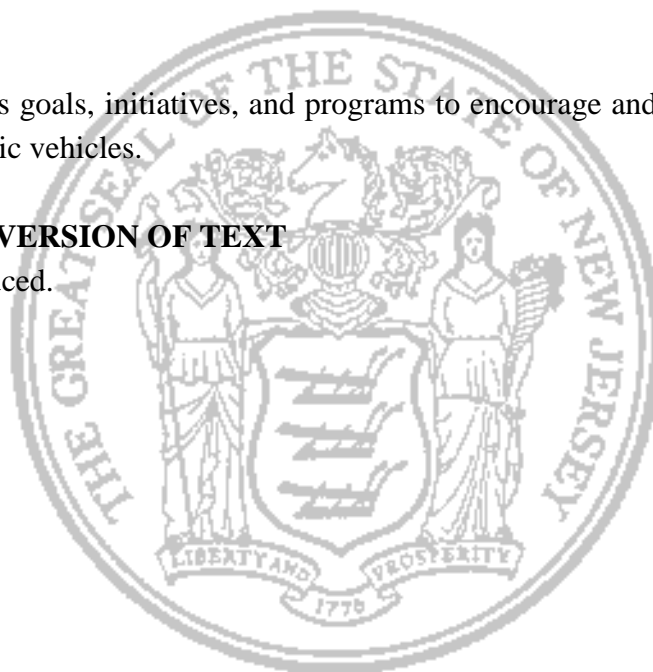
Assemblyman Karabinchak, Assemblywomen Lopez, Jones, Carter, Assemblymen Holley, DeAngelo, Land, Assemblywoman Murphy, Assemblymen McKeon, Calabrese, Assemblywoman Jasey, Assemblyman Mejia, Assemblywomen McKnight, Tucker, Speight, Jimenez, Timberlake, Reynolds-Jackson, Assemblyman Schaer, Assemblywoman Vainieri Huttel, Assemblymen Zwicker, Armato, Mazzeo and Assemblywoman Chaparro

SYNOPSIS

Establishes goals, initiatives, and programs to encourage and support use of plug-in electric vehicles.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/13/2019)

1 AN ACT concerning the use of electric vehicles, and amending and
2 supplementing various parts of the statutory law.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. (New section) The Legislature finds and declares that plug-
8 in electric vehicle technology has improved significantly, for light
9 duty vehicles in particular; that plug-in electric vehicles with longer
10 ranges are now widely available at a lower cost and present a viable
11 alternative to vehicles fueled by fossil fuels; that more plug-in
12 electric vehicle makes and models will be introduced in the State
13 motor vehicle market over the next several years; that vehicle
14 electrification offers a wide range of benefits, such as improved air
15 quality, reduced greenhouse gas emissions, and savings in motor
16 vehicle operating costs for vehicle owners; that increased use of
17 plug-in electric vehicles can contribute significantly to the
18 attainment of existing State air pollution and energy goals,
19 including the objectives of the “Global Warming Response Act,”
20 P.L.2007, c.112 (C.26:2C-37 et seq.) and the State’s Energy Master
21 Plan; and that New Jersey is already committed to implementing the
22 California Low Emission Vehicle Program pursuant to P.L.2003,
23 c.266 (C.26:2C-8.15 et al.), and part of this program is a
24 commitment to increasing the use of low emission vehicles and zero
25 emission vehicles, including plug-in electric vehicles.

26 The Legislature further finds and declares that the State has not
27 established goals for the use of plug-in electric vehicles or programs
28 to encourage the use of these vehicles; that an important part of
29 increasing the use of plug-in electric vehicles is the development of
30 a Statewide plug-in electric vehicle charging infrastructure that
31 supports the use of plug-in electric vehicles, as well as policies,
32 regulations, and programs to support that development; that State
33 agencies require clear direction to create and implement the
34 necessary policies, regulations, programs, initiatives, and
35 incentives; that the two major market barriers that limit the
36 purchase of light duty plug-in electric vehicles by consumers are
37 price and range anxiety, which is a concern on the part of the public
38 that plug-in electric vehicles cannot be reliably operated over long
39 distances because of a lack of convenient, publicly accessible
40 charging infrastructure.

41 The Legislature therefore determines that it is in the public
42 interest to establish goals for the increased use of plug-in electric
43 vehicles, pursue attainment of those goals through the development
44 of a Statewide plug-in electric vehicle charging infrastructure, and
45 develop this infrastructure by establishing a Statewide electric

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 vehicle charging infrastructure plan; that this plan shall be
2 incorporated into the State Energy Master Plan and any subsequent
3 updates to the State Energy Master Plan; that the State shall include
4 State agencies, market stakeholders, and other subject matter
5 experts in the development and establishment of the plan; and that
6 the State shall further bolster the increased use of plug-in electric
7 vehicles by providing rebates for the purchase of these vehicles, and
8 maximize consumer awareness of the availability of rebates and
9 public plug-in electric vehicle charging infrastructure through
10 Statewide public education programs.

11

12 2. (New section) As used in sections 1 through 7 of
13 P.L. , c. (C.) (pending before the Legislature as this bill):

14 “Advanced mobility solution” means an alternative method for
15 providing mobility to an entire community, through novel business
16 models that change vehicle ownership and use, including, but not
17 limited to, ride hailing services, car sharing services, fractional
18 ownership and vehicle subscription services, autonomous vehicles,
19 and transportation network companies.

20 “Board” means the Board of Public Utilities.

21 “Charger ready” means the pre-wiring of electrical infrastructure
22 at a parking space, or set of parking spaces, to facilitate easy and
23 cost-efficient future installation of electric vehicle service
24 equipment, including, but not limited to, Level Two EVSE and DC
25 Fast Charger, and a clearly defined process by which prospective
26 users of vehicle chargers may request and benefit from installation
27 of an appropriate EVSE at the pre-wired parking space;

28 “Charging location” means a publicly accessible parking space
29 or set of parking spaces, with visible signage designating that the
30 parking space or spaces are available for use by the public for
31 charging plug-in electric vehicles.

32 “Community location” means a charging location that is not a
33 corridor location, and that is established in a town center,
34 commercial area, retail center, or other site, or near concentrations
35 of multi-family dwellings, to provide vehicle charging services to
36 local plug-in electric vehicle drivers near where they live or work.

37 “Corridor location” means a charging location located along a
38 travel corridor roadway, or within two miles of that roadway, which
39 is intended to provide access to vehicle charging services for long
40 distance drivers and en-route vehicle charging services for local
41 drivers.

42 “DC Fast Charger” means electric vehicle service equipment that
43 provides at least 50 kilowatts of direct current electrical power for
44 charging a plug-in electric vehicle through a standardized
45 connector, and which is approved for installation for that purpose
46 under the National Electric Code through Underwriters Laboratories
47 Certification or an equivalent certifying organization.

1 “Department” means the Department of Environmental
2 Protection.

3 “Electric vehicle service equipment” or “EVSE” means the
4 equipment, including the cables, cords, conductors, connectors,
5 couplers, enclosures, attachment plugs, power outlets, switches and
6 controls, network interfaces, and point of sale equipment and
7 associated apparatus designed and used for the purpose of
8 transferring energy from the electric supply system to a plug-in
9 electric vehicle. “EVSE” may deliver either alternating current or
10 direct current electricity as determined by industry equipment
11 standards.

12 “Essential public charging network” or “network” means the
13 public charging infrastructure installed pursuant to section 10 of
14 P.L. , c. (C.) (pending before the Legislature as this bill), as part
15 of the Statewide initiative to encourage the plug-in electric vehicle
16 market in the State, and which provides a basic level of Statewide
17 public charging infrastructure sufficient to minimize range anxiety
18 and meet other public charging needs.

19 “Industry equipment standards” means the electric vehicle
20 charging equipment industry standards, including the CHAdeMO
21 standard and the Society of Automotive Engineers Combined
22 Charging Standard (CCS).

23 “Level One EVSE” means a supply of single phase 120 Vac
24 electricity, presented as either a standard wall plug into which the
25 charging cord provided with a plug-in electric vehicle can be
26 connected, or an EVSE with a standard vehicle plug connector that
27 complies with SAE J1772, or an equivalent standard for 120 Vac
28 charging as may be adopted in the future and accepted by the board,
29 and which is approved for installation for this purpose under the
30 National Electric Code through Underwriters Laboratories
31 Certification or an equivalent certifying organization.

32 “Level Two EVSE” means EVSE that provides a plug-in electric
33 vehicle with single phase alternating current electrical power at
34 208-240 Vac, through a standardized plug connector that complies
35 with SAE J1772 standards, or an equivalent wireless power transfer
36 interface, or equivalent standards for 208-240 Vac charging as may
37 be adopted in the future and accepted by the board, and which is
38 approved for installation for this purpose under the National
39 Electric Code through Underwriters Laboratories Certification or an
40 equivalent certifying organization.

41 “Light duty vehicle” means any two-axle, four-wheel vehicle,
42 designed primarily for passenger travel or light duty commercial
43 use, and approved for travel on public roads. “Light duty vehicle”
44 includes, but is not limited to, any vehicle commonly referred to as
45 a car, minivan, sport utility vehicle, cross-over, or pick-up truck.

46 “Local government unit” means a county, municipality, or any
47 board, commission, committee, authority or agency thereof that is
48 subject to the provisions of the “Local Public Contracts Law,”

1 P.L.1971, c.198 (C.40A:11-1 et seq.), including a housing authority
2 or redevelopment agency created or continued under the "Local
3 Redevelopment and Housing Law," P.L.1992, c.79 (C.40A:12A-1 et
4 seq.).

5 "Low-income, urban, or environmental justice community"
6 means a community where at least half of the households have a
7 household income that does not exceed 2.50 times the official
8 federal poverty level based on family size, established and adjusted
9 under the federal "Community Services Block Grant Act," 42
10 U.S.C. s.9902(2); is urban, as determined by the Department of
11 Community Affairs, due to the population and development density
12 in the community; or has been burdened with environmental justice
13 issues, as determined by the Department of Environmental
14 Protection, including, but not limited to, exposure to high levels of
15 air pollution, close proximity to major industrial facilities or
16 hazardous waste sites, or other environmental hazards.

17 "Owner or operator" means an entity that owns or operates
18 EVSE locations or equipment for use by plug-in electric vehicle
19 drivers, including an electric public utility, a site host, or a third-
20 party provider.

21 "Plug-in electric vehicle" means a vehicle that has a battery or
22 equivalent energy storage device that can be charged from an
23 electricity supply external to the vehicle with an electric plug.
24 "Plug-in electric vehicle" includes a plug-in hybrid vehicle. A plug-
25 in electric vehicle may be a light duty, medium duty, or heavy duty
26 vehicle.

27 "Plug-in hybrid vehicle" means a vehicle that can be charged
28 from a source of electricity external to the vehicle through an
29 electric plug, but is not exclusively powered by electricity.

30 "Range anxiety" means consumer concerns that public electric
31 charging infrastructure may not be widely available, resulting in
32 fewer electric vehicle purchases due to a perceived risk that a plug-
33 in electric vehicle driver may be stranded with a fully discharged
34 battery while on the road with no recharging source.

35 "Routine charging" means vehicle charging that takes place
36 where a vehicle is parked for a long period of time, such as at the
37 owner's residence overnight, a hotel, or a workplace during work
38 hours, and which provides the primary and most common form of
39 vehicle charging.

40 "Site host" means the entity with authority to host EVSE and
41 network services at a given location in the State, proposing to serve
42 as a charging location for use by the public or other authorized
43 users.

44 "Third-party provider" means a non-utility entity that owns or
45 provides EVSE or related equipment, or provides related services
46 for the development, financing, design, installation, and operation
47 of charging locations and the associated EVSE.

1 “Travel corridor” means the subset of heavily used public roads
2 designated by the Electric Vehicle Working Group pursuant to
3 section 4 of P.L. , c. (C.) (pending before the Legislature
4 as this bill) for inclusion in the essential public charging network
5 established pursuant to section 10 of P.L. , c. (C.) (pending
6 before the Legislature as this bill), including the Garden State
7 Parkway, the New Jersey Turnpike, the Atlantic City Expressway,
8 federal interstate highways, and the subset of federal or State roads
9 which collectively support the majority of long distance travel
10 through and within the State as well as the majority of daily travel
11 by local drivers.

12

13 3. (New section) a. There are established the following State
14 goals for the use of plug-in electric vehicles and the development of
15 plug-in electric vehicle charging infrastructure in the State to
16 support that use:

17 (1) at least 330,000 of the registered light duty vehicles in the
18 State shall be plug-in electric vehicles by December 31, 2025;

19 (2) at least 2,000,000 of the registered light duty vehicles in the
20 State shall be plug-in electric vehicles by December 31, 2035;

21 (3) at least 90 percent of all new light duty vehicles sold in the
22 State shall be plug-in electric vehicles by December 31, 2040;

23 (4) (a) By December 31, 2021, at least 600 DC Fast Chargers
24 shall be available for public use at no less than 300 charging
25 locations in the State, in addition to any charging locations or EVSE
26 already in place as of January 1, 2019; and (b) at least 100 of the
27 300 or more charging locations shall be at travel corridor locations,
28 equipped with at least two DC Fast Chargers per location, each
29 capable of providing at least 150 kilowatts of charging power, and
30 no more than 25 miles between the charging locations; and (c) at
31 least 200 of the 300 or more charging locations shall be community
32 locations, equipped with at least two DC Fast Chargers per location,
33 each capable of providing at least 50 kilowatts of charging power or
34 more, and 150 kilowatts or more where feasible; and

35 (5) By December 31, 2021, at least 1000 Level Two chargers
36 shall be available for public use across the State, and after initial
37 installation, those EVSE may be upgraded to higher power or DC
38 Fast Chargers as appropriate by the owner or operator; and

39 (6) (a) By December 31, 2025, 25 percent of all multi-family
40 residential properties in the State shall be equipped with electric
41 vehicle charging equipment for the routine charging of electric
42 vehicles by residents through a combination of Level One EVSE,
43 Level Two EVSE, or charger ready parking spaces, which
44 collectively shall serve a percentage of resident parking spaces
45 equal to the percentage of light duty vehicles registered in the State
46 that are plug-in electric vehicles at the end of the preceding
47 calendar year, or the percentage of vehicles owned by residents that
48 are plug-in electric vehicles, whichever is higher, and (b) by

1 December 31, 2030, 50 percent of all multi-family properties shall
2 be equipped for electric vehicle charging as described in
3 subparagraph (a) of this paragraph;

4 (7) (a) By December 31, 2025, 25 percent of all overnight
5 lodging establishments shall be equipped with electric vehicle
6 charging equipment for routine electric vehicle charging by guests
7 of the establishment by providing Level Two EVSE, which
8 collectively shall serve a percentage of the guest parking spaces
9 equal to the percentage of light duty vehicles registered in the State
10 that are plug-in electric vehicles at the end of the preceding
11 calendar year, and (b) by December 31, 2030, 50 percent of all
12 overnight lodging establishments shall be equipped for electric
13 vehicle charging as described in subparagraph (a) of this paragraph;

14 (8) (a) By December 31, 2025, 25 percent of all places of
15 employment in the State shall provide at least two dedicated
16 parking spaces and two charging plugs for either Level One or
17 Level Two EVSE to their employees for routine electric vehicle
18 charging on or near the property, and (b) by December 31, 2030, 50
19 percent of all places of employment in the State shall provide
20 parking spaces and electric vehicle charging equipment as described
21 in subparagraph (a) of this paragraph;

22 (9) (a) By December 31, 2025, at least 40 percent of State-
23 owned non-emergency light duty vehicles shall be plug-in electric
24 vehicles, and (b) by December 31, 2035 and thereafter, 100 percent
25 of State-owned non-emergency light duty vehicles shall be plug-in
26 electric vehicles; and

27 (10) (a) By the end of calendar year 2019, at least 5 percent of
28 the new bus purchases made by the New Jersey Transit Corporation
29 shall be plug-in electric vehicles, and (b) the percentage of plug-in
30 electric vehicle purchases shall increase to 10 percent in 2020, 20
31 percent in 2021, 40 percent in 2022, 60 percent in 2023, 80 percent
32 in 2024, and 100 percent in 2025 and thereafter, with vehicle
33 electrification prioritized for low-income, urban, or environmental
34 justice communities; and

35 (11) By December 31, 2020, other benchmarks shall be
36 established for vehicle electrification and infrastructure
37 development that address medium-duty and heavy-duty on-road
38 diesel vehicles and associated charging infrastructure, similar to the
39 State goals for light duty vehicles and consistent with the
40 technology and electric vehicle markets for those vehicle types.

41 b. No later than January 1, 2020, and every five years
42 thereafter, until December 31, 2040, the Department of
43 Environmental Protection shall prepare and submit to the Governor
44 and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the
45 Legislature, a report that:

46 (1) assesses the current state of the plug-in electric vehicle
47 market in New Jersey;

1 (2) measures the State's progress towards the goals established
2 in subsection a. of this section;

3 (3) identifies barriers to the achievement of the goals; and

4 (4) makes recommendations for legislative or regulatory action
5 to address the barriers.

6

7 4. (New section) a. There is established in the Department of
8 Environmental Protection the Electric Vehicle Working Group. The
9 working group shall develop a Statewide Vehicle Charging
10 Infrastructure Plan for the long-term development and installation
11 of plug-in electric vehicle charging infrastructure of all types across
12 the State, and monitor its implementation and its effectiveness in
13 advancing the State goals for electric vehicle use established
14 pursuant to section 3 of P.L. , c. (C.) (pending before the
15 Legislature as this bill).

16 b. The working group shall consist of 19 members as follows:

17 (1) the Commissioner of Environmental Protection, the
18 President of the Board of Public Utilities, the Commissioner of
19 Transportation, the Executive Director of the New Jersey Transit
20 Corporation, the Executive Director of the New Jersey Turnpike
21 Authority, the Executive Director of the South Jersey
22 Transportation Authority, the Commissioner of Community Affairs,
23 the Executive Director of the Port Authority of New York and New
24 Jersey, the Chief Executive Officer of the New Jersey Economic
25 Development Authority, and the Director of the Division of Rate
26 Counsel in, but not of, the Department of the Treasury, who shall
27 serve ex officio, or their respective designees; and

28 (2) the following public members, appointed by the Governor:

29 (a) one representative of a stakeholder group representing the
30 interests of the plug-in electric vehicle market in New Jersey;

31 (b) three representatives each representing a different electric
32 public utility in the State;

33 (c) one representative of a potential site host for electric vehicle
34 charging equipment;

35 (d) one representative of a third-party provider of electric
36 vehicle charging locations or charging equipment;

37 (e) two representatives with appropriate expertise in plug-in
38 electric vehicles, charging infrastructure, or transportation
39 corridors, one of whom shall be recommended to the Governor by
40 the Commissioner of Environmental Protection and one of whom
41 shall be recommended to the Governor by the President of the
42 Board of Public Utilities; and

43 (f) one representative of local governments in the State.

44 c. All appointments to the working group shall be made no
45 later than 90 days after the effective date of P.L. , c. (C.)
46 (pending before the Legislature as this bill). The term of office of
47 each public member shall be five years. Each public member shall
48 serve until a successor has been appointed and qualified, and

1 vacancies shall be filled in the same manner as the original
2 appointments for the remainder of the unexpired term. A public
3 member is eligible for reappointment to the working group. The
4 members of the working group shall serve without compensation,
5 but shall be eligible for necessary and reasonable expenses incurred
6 in the performance of their official duties within the limits of funds
7 appropriated or otherwise made available for the working group's
8 purposes.

9 d. The working group shall organize as soon as practicable
10 following the appointment of its members and shall select a
11 chairperson and a vice-chairperson from among its members, as
12 well as a secretary who need not be a member of the working group.
13 A majority of the membership of the working group shall constitute
14 a quorum for the transaction of working group business. The
15 working group may meet and hold hearings at the place or places
16 the working group designates.

17 The working group shall be entitled to call to its assistance and
18 avail itself of the services of the employees of any State, county, or
19 municipal department, board, bureau, commission, or agency as the
20 working group may require and as may be available to the working
21 group for its purposes.

22 e. Within 90 days after organization, the working group shall
23 develop a public education program to be implemented by the
24 Department of Environmental Protection to educate consumers
25 about the availability and benefits of plug-in electric vehicles in
26 New Jersey, public vehicle charging infrastructure, programs or
27 policies that provide incentives for the use of plug-in electric
28 vehicles, and the State goals set forth in section 3 of
29 P.L. , c. (C.) (pending before the Legislature as this bill).

30 f. (1) Within 180 days after organization, the working group,
31 in consultation with the Department of Transportation, the New
32 Jersey Transit Corporation, the New Jersey Turnpike Authority, the
33 South Jersey Transportation Authority, and the Port Authority of
34 New York and New Jersey, shall designate the travel corridors to be
35 integrated into, and serviced by, the essential public charging
36 network, established pursuant to section 10 of P.L. , c. (C.)
37 (pending before the Legislature as this bill). Upon designation of
38 the travel corridors, the working group shall notify the necessary
39 entities for implementation of the essential public charging network
40 and compliance with the requirements of section 10 of
41 P.L. , c. (C.) (pending before the Legislature as this bill).

42 (2) The working group may from time to time include additional
43 public roads in the essential public charging network as necessary
44 to achieve the density of public charging locations sufficient to
45 reduce range anxiety and provide efficient and effective access to
46 public electric vehicle servicing equipment.

47 g. No later than one year after its first organizational meeting,
48 the working group shall publish the Statewide Vehicle Charging

1 Infrastructure Plan. The working group shall annually update the
2 plan in accordance with the information provided by the
3 Department of Environmental Protection in the reports and plug-in
4 electric vehicle market updates issued pursuant to subsection b. of
5 section 3 of P.L. , c. (C.) (pending before the Legislature
6 as this bill).

7 h. The working group shall incorporate into the Statewide
8 Vehicle Charging Infrastructure Plan:

9 (1) Estimates of the quantity and types of electric vehicle
10 charging equipment and infrastructure required to be installed
11 through calendar year 2035 to achieve the plug-in electric vehicle
12 goals established in section 3 of P.L. , c. (C.) (pending
13 before the Legislature as this bill), and a schedule for installation of
14 that charging equipment and infrastructure, including but not
15 limited to, public DC fast chargers, Level Two EVSE, workplace
16 charging facilities, overnight charging facilities at overnight
17 lodging establishments, fleet charging infrastructure of various
18 types, residential charging for single family homes, and residential
19 charging for multi-family homes;

20 (2) Strategies for creating general market conditions necessary
21 for long-term development of public electric vehicle charging
22 infrastructure that fully address range anxiety, meet routine
23 charging needs, ensure attainment of the goals established in
24 P.L. , c. (C.) (pending before the Legislature as this bill),
25 and establish minimum standards for equitable, reliable, and
26 convenient access to highly visible electric vehicle charging
27 infrastructure of all types;

28 (3) Methods for monitoring and compiling data on Statewide
29 plug-in electric vehicle purchases, EVSE use, the percentage of
30 Statewide electric vehicle miles traveled, utility distribution system
31 impacts, and other statistics for assessing plug-in electric vehicle
32 adoption and developing and maintaining effective charging
33 infrastructure;

34 (4) Guidelines to ensure that infrastructure is being made
35 available across all socioeconomic and geographic segments of the
36 State, and programs that support the vehicle electrification needs for
37 low-income, urban, or environmental justice communities,
38 including electrified public transportation and innovative electrified
39 advanced mobility solutions;

40 (5) Recommended policies, regulations, programs, and other
41 initiatives that ensure responsible integration of plug-in electric
42 vehicle charging infrastructure with the electric grid, and which
43 maximize the beneficial impact of that infrastructure and vehicle
44 charging for the plug-in electric vehicle market and utility
45 ratepayers;

46 (6) Recommended policies, regulations, programs, or other
47 initiatives that may be taken by State agencies, the public electric
48 utilities, and other organizations or market participants to achieve

1 the long-term success of the goals established in
2 P.L. , c. (C.) (pending before the Legislature as this bill);

3 (7) Statewide consumer awareness campaigns that highlight the
4 availability of electric vehicle charging infrastructure in the State,
5 with a specific focus on addressing consumer concerns about range
6 anxiety and the availability of public charging infrastructure, to be
7 implemented by the government entities represented in the working
8 group; and

9 (8) Updates on the implementation of the essential public
10 charging network pursuant to sections 10 through 14 of
11 P.L. , c. (C.) (pending before the Legislature as this bill)
12 and the Light Duty Plug-in Vehicle Rebate Program pursuant to
13 sections 15 through 20 of P.L. , c. (C.) (pending before the
14 Legislature as this bill).

15 i. The working group shall coordinate the development and
16 publication of the Statewide Vehicle Charging Infrastructure Plan
17 with development and revision of the State Energy Master Plan,
18 incorporating relevant provisions to ensure that implementation of
19 the plans are consistent.

20 j. (1) The working group shall also study, develop, and
21 identify needs, opportunities, and strategies for expanding
22 electrification of vehicles beyond private ownership of light duty
23 plug-in electric vehicles, and to provide funding and programs to:

24 (a) ensure equitable participation in vehicle electrification
25 benefits and programs by low-income, urban, or environmental
26 justice communities and other communities that suffer from
27 deficient mobility options and disproportionate negative
28 environmental impacts;

29 (b) ensure the development of electric advanced mobility
30 solutions and other transportation alternatives that serve those
31 communities; and

32 (c) expand the electrification of the wide range of heavy duty
33 and medium duty vehicles typically powered by diesel fuel, that
34 may also benefit from electrification, including, but not limited to,
35 public buses, medium and heavy duty trucks, drayage equipment,
36 and other off-road transportation, with particular focus on the use of
37 these vehicles and equipment at and around New Jersey ports.

38 (2) The working group may develop any other programs to
39 further the use of electric vehicles in the State and shall incorporate
40 its findings and recommendations into its annual reports.

41 k. The working group shall issue a final report on the Statewide
42 Vehicle Charging Infrastructure Plan during the calendar year 2035
43 and shall dissolve 30 days after the final report is issued.

44 l. After dissolution of the working group, the Department of
45 Environmental Protection shall update and implement the Statewide
46 Vehicle Charging Infrastructure Plan.

1 5. (New section) The Department of Environmental Protection
2 shall adopt, pursuant to the “Administrative Procedure Act,”
3 P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations as may
4 be necessary for the development and installation of plug-in electric
5 vehicle charging infrastructure to achieve the goals set forth in
6 section 3 of P.L. , c. (C.) (pending before the Legislature
7 as this bill) and for implementation of any initiatives and programs
8 established pursuant to P.L. , c. (C.) (pending before the
9 Legislature as this bill).

10
11 6. (New section) The Department of Community Affairs shall
12 adopt, pursuant to the “Administrative Procedure Act,” P.L.1968,
13 c.410 (C.52:14B-1 et seq.), rules and regulations as may be
14 necessary to achieve the goals set forth in section 3 of
15 P.L. , c. (C.) (pending before the Legislature as this bill)
16 and to implement the programs established pursuant to
17 P.L. , c. (C.) (pending before the Legislature as this bill),
18 including:

19 a. new policies, guidelines, and regulations affecting
20 municipalities, revision of building codes, standards, permitting,
21 and other processes or procedures related to electric vehicle
22 charging infrastructure of all types, in all impacted building types
23 that would facilitate development of routine charging infrastructure
24 in a variety of settings; and

25 b. new programs, procedures, rules and regulations, and
26 guidelines that would facilitate development of vehicle charging
27 infrastructure of all types by local government units in the State,
28 including issuance of formal guidance that would allow local
29 government units to utilize the competitive contracting provisions
30 of the “Local Public Contracts Law,” P.L.1971, c.198 (C.40A:11-1
31 et seq.), in order to partner with private parties for the design,
32 permitting, financing, installation, operation, and management of all
33 EVSE installations; and

34 c. any new programs, procedures, rules and regulations, and
35 guidelines that would increase the use of plug-in electric vehicles
36 and expand the number of EVSE installations available for the
37 public use.

38
39 7. (New section) The Department of Transportation, in
40 consultation with the New Jersey Transit Corporation, the New
41 Jersey Turnpike Authority, the South Jersey Transportation
42 Authority, and the New Jersey Economic Development Authority,
43 shall adopt, pursuant to the “Administrative Procedure Act,”
44 P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations as may
45 be necessary for the development and installation of infrastructure
46 to achieve the goals set forth in section 3 of P.L. , c. (C.)
47 (pending before the Legislature as this bill) and for implementation

1 of programs established pursuant to P.L. , c. (C.) (pending
2 before the Legislature as this bill).

3

4 8. (New section) As used in sections 8 through 20 of
5 P.L. , c. (C.) (pending before the Legislature as this bill):

6 “Board” means the Board of Public Utilities.

7 “Charger ready” means the pre-wiring of electrical infrastructure
8 at a parking space, or set of parking spaces, to facilitate easy and
9 cost-efficient future installation of electric vehicle service
10 equipment, including, but not limited to, Level Two EVSE, and a
11 clearly defined process by which prospective users of vehicle
12 chargers may request and benefit from installation of an appropriate
13 EVSE at the pre-wired parking space;

14 “Charging location” means a publicly accessible parking space
15 or set of parking spaces, with visible signage designating that the
16 parking space or spaces are available for use by the public for
17 charging plug-in electric vehicles.

18 “Community location” means a charging location that is not a
19 corridor location, and that is established in a town center,
20 commercial area, retail center, or other site, or near concentrations
21 of multi-family dwellings, to provide vehicle charging services to
22 local plug-in electric vehicle drivers near where they live or work.

23 “Corridor location” means a charging location located along a
24 travel corridor roadway, or within two miles of that roadway, which
25 is intended to provide access to vehicle charging services for long
26 distance drivers and en-route vehicle charging services for local
27 drivers.

28 “DC Fast Charger” means electric vehicle service equipment that
29 provides at least 50 kilowatts of direct current electrical power for
30 charging a plug-in electric vehicle through a standardized
31 connector, and which is approved for installation for that purpose
32 under the National Electric Code through Underwriters Laboratories
33 Certification or an equivalent certifying organization.

34 “Department” means the Department of Environmental
35 Protection.

36 “Electric vehicle service equipment” or “EVSE” means the
37 equipment, including the cables, cords, conductors, connectors,
38 couplers, enclosures, attachment plugs, power outlets, switches and
39 controls, network interfaces, and point of sale equipment and
40 associated apparatus designed and used for the purpose of
41 transferring energy from the electric supply system to a plug-in
42 electric vehicle. “EVSE” may deliver either alternating current or
43 direct current electricity as determined by industry standards.

44 “Eligible recipient” means any purchaser of an eligible vehicle
45 who did not receive the applicable electric vehicle rebate at the time
46 of purchase as part of a reduction of the eligible vehicle’s purchase
47 price, or any seller of an eligible vehicle who has disbursed the
48 electric vehicle rebate pursuant to P.L. , c. (C.) (pending

1 before the Legislature as this bill) to a purchaser at the time of sale
2 through a pass-through reduction in the sale price.

3 “Eligible vehicle” means a new light duty plug-in electric
4 vehicle, with an MSRP of \$55,000 or less, purchased after the
5 effective date of P.L. , c. (C.) (pending before the
6 Legislature as this bill).

7 “Essential public charging network” or “network” means the
8 public charging infrastructure installed pursuant to section 9 of
9 P.L. , c. (C.) (pending before the Legislature as this bill), as part
10 of the Statewide initiative to encourage the plug-in electric vehicle
11 market in the State, and which provides a basic level of Statewide
12 public charging infrastructure sufficient to minimize range anxiety
13 and meet other public charging needs.

14 “Industry equipment standards” means the electric vehicle
15 charging equipment industry standards, including the CHAdeMO
16 standard and the Society of Automotive Engineers Combined
17 Charging Standard (CCS).

18 “Level Two EVSE” means EVSE that provides a plug-in electric
19 vehicle with single phase alternating current electrical power at
20 208-240 Vac, through a standardized plug connector that complies
21 with SAE J1772 standards, or an equivalent wireless power transfer
22 interface, or equivalent standards for 208-240 Vac charging as may
23 be adopted in the future and accepted by the board, and which is
24 approved for installation for this purpose under the National
25 Electric Code through Underwriters Laboratories Certification or an
26 equivalent certifying organization.

27 “Light duty vehicle” means any two-axle, four-wheel vehicle,
28 designed primarily for passenger travel or light duty commercial
29 use, and approved for travel on public roads. “Light duty vehicle”
30 includes, but is not limited to, any vehicle commonly referred to as
31 a car, minivan, sport utility vehicle, cross-over, or pick-up truck.

32 “Light Duty Plug-in Electric Vehicle Rebate Program” or “rebate
33 program” means the program established pursuant to section 14 of
34 P.L. , c. (C.) (pending before the Legislature as this bill) to
35 encourage the purchase of light duty plug-in electric vehicles.

36 “Local government unit” means a county, municipality, or any
37 board, commission, committee, authority or agency thereof that is
38 subject to the provisions of the “Local Public Contracts Law,”
39 P.L.1971, c.198 (C.40A:11-1 et seq.), including a housing authority
40 or redevelopment agency created or continued under the "Local
41 Redevelopment and Housing Law," P.L.1992, c.79 (C.40A:12A-1 et
42 seq.).

43 “Managed charging” means policies, programs, regulations,
44 technologies, specially designed rates or tariffs, or other methods
45 that influence or control when or how vehicle charging takes place
46 in order to minimize harmful impacts to the electric distribution
47 system or the electric transmission system while maximizing
48 electric vehicle charging benefits.

1 “MSRP” means the published manufacturer’s suggested retail
2 price, as set by a vehicle’s manufacturer, at the time of sale.

3 “Owner or operator” means an entity that owns or operates
4 EVSE locations or equipment for use by plug-in electric vehicle
5 drivers, including an electric public utility, a site host, or a third-
6 party provider.

7 “Plug-in electric vehicle” means a vehicle that has a battery or
8 equivalent energy storage device that can be charged from an
9 electricity supply external to the vehicle with an electric plug.
10 “Plug-in electric vehicle” includes a plug-in hybrid vehicle. A plug-
11 in electric vehicle may be a light duty, medium duty, or heavy duty
12 vehicle.

13 “Plug-in Electric Vehicle Rebate Fund” or "fund" means a non-
14 lapsing account established to fund rebate disbursements under the
15 Light Duty Plug-in Electric Vehicle Rebate Program, established
16 pursuant to section 16 of P.L. , c. (C.) (pending before the
17 Legislature as this bill).

18 “Plug-in hybrid vehicle” means a vehicle that can be charged
19 from a source of electricity external to the vehicle through an
20 electric plug, but is not exclusively powered by electricity.

21 “Range anxiety” means consumer concerns that public electric
22 charging infrastructure may not be widely available, resulting in
23 fewer electric vehicle purchases due to a perceived risk that a plug-
24 in electric vehicle driver may be stranded with a fully discharged
25 battery while on the road with no recharging source.

26 “Rebate disbursement” means the payment of an electric vehicle
27 rebate, established by the Board of Public Utilities pursuant to
28 section 14 of P.L. , c. (C.) (pending before the Legislature
29 as this bill), to an eligible recipient.

30 “Seller of an eligible vehicle” means an entity that sells an
31 eligible vehicle to a consumer or fleet owner in the State, and may
32 include an automobile dealership, third-party financing entity,
33 manufacturer selling directly to the public, or any other entity
34 selling motor vehicles to consumers in the State.

35 “Site host” means the entity with authority to host EVSE and
36 network services at a given location in the State, proposing to serve
37 as a charging location for use by the public or other authorized
38 users.

39 “Third-party provider” means a non-utility entity that owns or
40 provides EVSE or related equipment, or provides related services
41 for the development, financing, design, installation, and operation
42 of charging locations and the associated EVSE.

43 “Travel corridor” means the subset of heavily used public roads
44 designated by the Electric Vehicle Working Group pursuant to
45 section 4 of P.L. , c. (C.) (pending before the Legislature
46 as this bill) for inclusion in the essential public charging network
47 established pursuant to section 9 of P.L. , c. (C.) (pending
48 before the Legislature as this bill), including the Garden State

1 Parkway, the New Jersey Turnpike, the Atlantic City Expressway,
2 federal interstate highways, and the subset of federal or State roads
3 which collectively support the majority of long distance travel
4 through and within the State as well as the majority of daily travel
5 by local drivers.

6
7 9. (New section) a. Within 90 days after the designation of
8 travel corridors by the Electric Vehicle Working Group pursuant to
9 paragraph (1) of subsection f. of section 4 of P.L. , c. (C.)
10 (pending before the Legislature as this bill), the Board of Public
11 Utilities, in cooperation with the electric public utilities in the State,
12 the Department of Transportation, the New Jersey Turnpike
13 Authority, and the South Jersey Transportation Authority, shall
14 develop the essential public charging network, to be implemented
15 by the electric public utilities pursuant to subsection b. of this
16 section and section 10 of P.L. , c. (C.) (pending before the
17 Legislature as this bill). The essential public charging network
18 shall:

19 (1) provide sufficient public charging infrastructure to support a
20 significant expansion in the use of plug-in electric vehicles in the
21 State and consumer confidence in using these vehicles;

22 (2) integrate with the electric distribution system and the
23 electric transmission system; and

24 (3) provide a level of public charging infrastructure sufficient to
25 minimize consumer range anxiety.

26 b. By December 31, 2021 or as soon thereafter as practicable,
27 the board shall require electric public utilities, through contracts
28 with third-party providers and site hosts in their respective service
29 territories, to implement the charging network Statewide,
30 collectively providing, at a minimum, and in addition to any electric
31 vehicle service equipment in place on or before January 1, 2018:

32 (1) 100 DC Fast Charger locations at corridor locations
33 equipped with at least two DC Fast Chargers per location, each
34 capable of providing at least 150 kilowatts of power, with no more
35 than 25 miles between locations wherever feasible;

36 (2) 200 DC Fast Charger locations at community locations
37 equipped with at least two DC Fast Chargers per location, each
38 capable of providing at least 50 kilowatts of power and up to at
39 least 150 kilowatts wherever feasible; and

40 (3) 1000 publicly accessible Level Two EVSE, which after the
41 initial installation may be upgraded to DC Fast Chargers or higher
42 power levels as deemed appropriate by the owner or operator of the
43 EVSE at the network location.

44 The provisions of this subsection shall not preclude the
45 installation of additional EVSE at any network location, or a Level
46 Two EVSE or DC Fast Charger of 50 KW or above, as considered
47 appropriate by the owner or operator of the EVSE at the network
48 location.

1 c. (1) All network DC Fast Chargers shall provide at least two
2 plug types, compliant with the industry equipment standards as
3 defined at the time of installation, and other additional standards as
4 may be introduced based on technology improvements or changes
5 in applicable technical standards and approved for inclusion by the
6 board.

7 (2) All network equipment and infrastructure shall be equally
8 accessible by all plug-in electric vehicles, and the operators thereof,
9 and shall be available for use by the public without unreasonable
10 commercial or technical restrictions.

11 (3) All network charging locations shall be highly visible along
12 public roadways, with standardized signage easily visible on
13 roadways, and the locations shall be posted on line in a manner that
14 makes them easy to identify and locate.

15 (4) All network infrastructure development plans shall make use
16 of design innovations, technologies, and other methods to:

17 (a) minimize harmful impact on the electric grid wherever
18 needed and the integration and operation costs; and

19 (b) maximize the beneficial impact vehicle charging and
20 charging infrastructure may have on the electric grid.

21

22 10. (New section) a. No later than one year after the effective
23 date of P.L. , c. (C.) (pending before the Legislature as this
24 bill), each electric public utility in the State shall submit to the
25 board a proposed plan for the construction and long-term operation
26 of the essential public charging network within its service territory.
27 The proposed charging network plan shall:

28 (1) establish a process and timeframe for identifying site hosts,
29 third-party providers, and potential locations for the DC Fast
30 Chargers at corridor locations and community locations, and for the
31 publicly accessible Level Two EVSE required to be installed
32 pursuant to paragraph (2) of subsection b. of section 9 of
33 P.L. , c. (C.) (pending before the Legislature as this bill);

34 (2) outline the terms of the agreements and contracts to be
35 entered into by the electric public utility and each of the site hosts
36 and third-party providers in order to install the components of the
37 network required pursuant to subsection b. of section 9 of
38 P.L. , c. (C.) (pending before the Legislature as this bill) by
39 December 31, 2021, which may include, pending board approval, a
40 variety of approaches for owning and operating the network,
41 including (a) site host owned and operated EVSE, (b) third party
42 provider or electric public utility owned and operated EVSE, or (c)
43 mixed arrangements whereby multiple entities are involved in
44 owning and operating the locations and EVSE;

45 (3) provide cost estimates for the installation and operation of
46 the required network components;

47 (4) provide methods for the development, installation, and
48 operation of the network locations, EVSE, and electrical

1 infrastructure and for financing its installation and operation,
2 including, but not necessarily limited to (a) financing plans,
3 financial incentives, new rate designs, tariffs, and how the costs of
4 any programs offered in the proposal shall be recovered fully and in
5 a timely fashion through a separate utility rate clause as approved
6 by the board, (b) partnership programs with local government units
7 or other parties, managed charging or demand response programs,
8 streamlined processes and programs to facilitate interconnection, (c)
9 marketing and other programs to build consumer awareness, and (d)
10 technology trials or other programs that support the goals of
11 P.L. , c. (C.) (pending before the Legislature as this bill).

12 b. The board may determine any electric public utility proposed
13 charging network plan submitted within 18 months prior to the
14 effective date of P.L. , c. (C.) (pending before the
15 Legislature as this bill) fulfills the requirements of subsection a. of
16 this section if the board determines the proposed charging network
17 plan is consistent with the goals and requirements of
18 P.L. , c. (C.) (pending before the Legislature as this bill).
19 The board shall make the determination no later than 90 days after
20 the effective date of P.L. , c. (C.) (pending before the
21 Legislature as this bill) and shall notify the electric public utility
22 immediately:

23 (1) if the proposed charging network plan is determined to be
24 inconsistent with the goals and requirements of
25 P.L. , c. (C.) (pending before the Legislature as this bill);
26 and

27 (2) the date by which the electric public utility shall be required
28 to submit a new proposed charging network plan in compliance
29 with this section.

30 c. No later than 180 days after receipt of a proposed charging
31 network plan pursuant to subsection a. or b. of this section, the
32 board shall review and issue a determination approving, rejecting,
33 or approving with modifications the proposed charging network
34 plan. The board shall apply the following criteria for this review
35 and determination:

36 (1) The proposed charging network plan is consistent with, and
37 supports attaining the goals of P.L. , c. (C.) (pending
38 before the Legislature as this bill);

39 (2) The expenditures estimated and set forth in the proposed
40 charging network plan are reasonable for attaining the goals of
41 P.L. , c. (C.) (pending before the Legislature as this bill);
42 and

43 (3) The proposed charging network plan is likely to accomplish
44 the installation of the required elements of the network in a timely
45 manner.

46 d. The board order approving, or approving with modifications,
47 an electric public utility's proposed charging network plan shall
48 provide for and approve full and timely recovery through a separate

1 utility rate clause covering all reasonable costs, which may be
2 included in the electric public utility's rate base as either a capital
3 or regulatory asset. The electric public utility shall implement its
4 charging network plan by using funding sources other than
5 recovering electric public utility expenditures through customer
6 rates whenever feasible.

7 e. (1) Upon approval of a charging network plan pursuant to
8 this section, the electric public utility shall implement the charging
9 network plan, and may enter into any necessary agreements or
10 contracts with site hosts or third-party providers.

11 (2) An electric public utility charging network plan that
12 provides for network locations developed by site hosts or third-
13 party providers shall;

14 (a) use a competitive process, wherever feasible, to engage site
15 hosts or third-party providers, as applicable, in (i) developing
16 projects, (ii) providing EVSE and services, and (iii) owning and
17 operating the locations and EVSE for public use;

18 (b) leverage private investment wherever possible;

19 (c) provide customer choice in equipment;

20 (d) optimize net benefit for ratepayers;

21 (e) avoid unfair limits on the involvement of non-utility market
22 participants;

23 (f) maximize public benefit by (i) ensuring universal access, (ii)
24 encouraging the use of open standards, (iii) promoting
25 interoperability and network roaming, (iv) providing a consistent
26 consumer experience, and (v) provide for appropriate consideration
27 of future infrastructure needs; and

28 (g) promote development of a competitive market for continued
29 growth in public charging infrastructure beyond the network.

30 f. An electric public utility charging network plan that
31 provides for utility ownership and operation of locations or EVSE
32 as part of the network, as approved by the board, shall:

33 (1) use a competitive process to engage site hosts or third-party
34 providers for EVSE and services, as applicable;

35 (2) provide customer choice in equipment;

36 (3) optimize net benefit for ratepayers;

37 (4) avoid unfair limits on the involvement of non-utility market
38 participants; and

39 (5) maximize public benefit by (a) ensuring universal access, (b)
40 encouraging the use of open standards, (c) promoting
41 interoperability and network roaming, and providing a consistent
42 consumer experience, (d) providing for appropriate consideration of
43 future infrastructure needs, and (e) promoting development of a
44 competitive market for continued growth in public charging
45 infrastructure beyond the network.

46 g. The electric public utilities shall propose tariffs, incentive
47 programs, or other methods that ensure electricity costs for public
48 charging facilities are not restrictive during early market conditions

1 when utilization is low, as determined by the board, including
2 consideration of demand charge impacts, and the costs of such
3 tariffs, programs, or methods shall be recovered fully and in a
4 timely fashion through a separate utility rate clause as approved by
5 the board. The tariffs, programs, or other methods may be approved
6 for EVSE that are part of the network, or for any other EVSE that is
7 available for public use and which meets any additional
8 requirements deemed necessary by the board.

9 h. Electric public utilities may propose other programs,
10 incentives, tariffs, or initiatives to support the development of
11 vehicle charging infrastructure of all types, consistent with the
12 goals of P.L. , c. (C.) (pending before the Legislature as
13 this bill), including but not limited to:

14 (1) workplace EVSE programs for use by employees;

15 (2) EVSE programs for lodging establishments for use by
16 overnight guests;

17 (3) EVSE programs for residential use in multi-family and
18 single-family housing;

19 (4) EVSE for fleet operators;

20 (5) EVSE for NJ Transit Corporation;

21 (6) marketing and consumer awareness campaigns;

22 (7) innovative market or technology trials;

23 (8) solutions addressing demand charge implications on
24 electricity costs;

25 (9) programs that facilitate renewable energy and electricity
26 storage integration;

27 (10) programs that encourage vehicle charging at optimal times
28 of day; and

29 (11) programs or technology that enable interactive use of plug-
30 in electric vehicles as distributed energy resources that support and
31 enhance operation of the public grid through two-way exchanges of
32 electricity.

33 i. Unless otherwise specifically provided pursuant to Title 48
34 of the Revised Statutes or any other federal or State law, an entity
35 owning, controlling, operating, or managing an electric vehicle
36 charging station shall not be deemed an electric public utility solely
37 because of that ownership, control, operation, or management. The
38 charging of an electric vehicle shall be deemed a service and not a
39 sale of electricity by an electric power supplier or basic generation
40 service provider pursuant to P.L.1999, c.23 (C.48:3-49 et al.).

41
42 11. (New section) a. The New Jersey Turnpike Authority shall,
43 consistent with a charging network plan approved by the board
44 pursuant to section 9 of P.L. , c. (C.) (pending before the
45 Legislature as this bill):

46 (1) By December 31, 2021, or as soon thereafter as practicable,
47 establish publicly accessible EVSE parking spaces for the exclusive

1 use by plug-in electric vehicles at each of the service areas along
2 the New Jersey Turnpike and the Garden State Parkway;

3 (2) Provide at least two parking spaces for network DC Fast
4 Chargers with supporting EVSE at each location by December 31,
5 2021, and at least eight spaces for DC Fast Chargers at each
6 location that are charger ready with the electrical infrastructure
7 required to support future DC Fast Charger installations. The
8 allocation of these spaces shall not preclude the installation of
9 EVSE in addition to those required for the network, as the New
10 Jersey Turnpike Authority determines to be beneficial to the
11 increased use of electric vehicles in the State;

12 (3) Monitor usage of all EVSE at all of the New Jersey Turnpike
13 and Garden State Parkway service areas, and expand the EVSE
14 equipment and number of spaces served by EVSE as needed to
15 ensure reliable and convenient use by the public;

16 (4) Pursue public-private partnerships for the purpose of
17 facilitating the development, funding, and operation of the public
18 electric vehicle charging infrastructure required pursuant to P.L. ,
19 c. (C.) (pending before the Legislature as this bill); and

20 (5) Charge electric vehicle drivers using the EVSE a reasonable
21 amount to recover costs associated with installation and operation
22 of EVSE for public use, either directly, or through third parties that
23 have been contracted to provide vehicle charging services at each
24 service area.

25 b. For EVSE located on State-owned properties, or on
26 properties owned or controlled by local government units, and
27 which are owned or operated by a third party, charges for service
28 may include a fee that is transferable to the State agency or local
29 government unit as a concession pursuant to a written agreement
30 between the owner or operator and the State agency or local
31 government unit.

32

33 12. (New section) a. The South Jersey Transportation Authority
34 shall, consistent with a charging network plan approved by the
35 board pursuant to section 9 of P.L. , c. (C.) (pending before
36 the Legislature as this bill):

37 (1) By December 31, 2021, or as soon thereafter as practicable,
38 establish publicly accessible EVSE parking spaces for the exclusive
39 use by plug-in electric vehicles at each of the service areas along
40 the Atlantic City Expressway;

41 (2) Provide at least two parking spaces for network DC Fast
42 Chargers with supporting EVSE at each location by December 31,
43 2021, and at least eight spaces for DC Fast Chargers at each
44 location that are charger ready with the electrical infrastructure
45 required to support future DC Fast Charger installations. The
46 allocation of these spaces shall not preclude the installation of
47 EVSE in addition to those required for the network, as the South

1 Jersey Transportation Authority determines to be beneficial to the
2 increased use of electric vehicles in the State;

3 (3) Monitor usage of all EVSE at all of the Atlantic City
4 Expressway service areas, and expand the EVSE equipment and
5 number of spaces served by EVSE as needed to ensure reliable and
6 convenient use by the public;

7 (4) Pursue public-private partnerships for the purpose of
8 facilitating the development, funding, and operation of the public
9 electric vehicle charging infrastructure required pursuant to P.L. ,
10 c. (C.) (pending before the Legislature as this bill); and

11 (5) Charge electric vehicle drivers using the EVSE a reasonable
12 amount to recover costs associated with installation and operation
13 of EVSE for public use, either directly, or through third parties that
14 have been contracted to provide vehicle charging services at each
15 service area.

16 b. For EVSE located on State agency-owned properties, or on
17 properties owned or controlled by local government units, and
18 which are owned or operated by a third party, charges for service
19 may include a fee that is transferable to the State agency or local
20 government unit as a concession pursuant to a written agreement
21 between the owner or operator and the State agency or local
22 government unit.

23

24 13. (New section) a. The Department of Transportation shall,
25 consistent with a charging network plan approved by the board
26 pursuant to section 9 of P.L. , c. (C.) (pending before the
27 Legislature as this bill):

28 (1) By December 31, 2021, or as soon thereafter as practicable,
29 establish publicly accessible EVSE parking spaces at rest areas
30 along Interstate highways under its jurisdiction;

31 (2) In cooperation and consultation with the New Jersey
32 Turnpike Authority and the South Jersey Transportation Authority,
33 and other State and local authorities as required, shall establish
34 consistent and effective signage along the travel corridors and local
35 roadways in the State and at EVSE locations to inform the public of
36 EVSE locations, provide guidance for reaching the publicly
37 accessible charging locations, and indicate the type of EVSE
38 available at the location. The signage shall indicate the availability
39 of DC Fast Chargers wherever they are available;

40 (3) Coordinate with federal authorities to (a) ensure the use of
41 standardized signage indicating the availability of nearby EVSE
42 along federal interstate highways, similar to current signage in use
43 regarding fuel and other local amenities, and (b) negotiate any
44 necessary agreements or contracts to facilitate the installation of
45 EVSE at charging locations in the State along federal interstate
46 highways and the charging of electric vehicle drivers using the
47 EVSE a reasonable amount to recover New Jersey electric public
48 utility costs associated with installation and operation of EVSE for

1 public use, either directly, or through third parties that have been
2 contracted to provide vehicle charging services at each service area.

3 b. For EVSE located on State agency-owned properties, or on
4 properties owned or controlled by local government units, and
5 which are owned or operated by a third party, charges for service
6 may include a fee that is transferable to the State agency or local
7 government unit as a concession pursuant to a written agreement
8 between the owner or operator and the State agency or local
9 government unit.

10

11 14. (New section) a. No later than 90 days after the effective
12 date of P.L. , c. (C.) (pending before the Legislature as this
13 bill), the Board of Public Utilities, in cooperation with the State
14 Treasurer and the Department of Environmental Protection, shall
15 establish and implement a “Light Duty Plug-in Electric Vehicle
16 Rebate Program” for the purpose of encouraging the purchase of
17 light duty plug-in electric vehicles.

18 b. The board shall implement the rebate program until June
19 30th of the 10th year after the rebate program begins, or after
20 \$300,000,000 in rebate disbursements have been paid from the
21 fund, whichever occurs first.

22 c. (1) The board shall establish the electric vehicle rebate as a
23 one-time payment to the purchaser of a new light duty plug-in
24 electric vehicle in an amount set and calculated by the department
25 as equal to at least \$25 per mile of the eligible vehicle’s electric
26 power range as certified by the United States Environmental
27 Protection Agency and determined by the Department of
28 Environmental Protection, up to a maximum of \$5,000 per eligible
29 vehicle.

30 (2) The board, in consultation with the department, shall
31 determine the electric vehicle rebate amount consistent with the
32 provisions of this section for all eligible vehicles available for sale
33 in the State and shall publish the schedule of rebate amounts for all
34 eligible vehicles quarterly.

35 (3) The board may adjust the rebate amount provided in
36 paragraph (1) of this subsection as necessary to achieve or sustain
37 the State’s electric vehicle goals established pursuant to section 3 of
38 P.L. , c. (C.) (pending before the Legislature as this bill),
39 provided that electric vehicle rebate amounts shall not be not
40 changed more frequently than once per aggregate disbursement of
41 \$100,000,000 from the "Plug-in Electric Vehicle Rebate Fund,"
42 established pursuant to section 16 of P.L. , c. (C.) (pending
43 before the Legislature as this bill).

44 (4) The board may establish limits on the number of electric
45 vehicle rebates issued to a purchaser as necessary.

46 d. The board shall monitor the rebate disbursements, and shall
47 annually reassess the design and implementation of the rebate

1 program. Provided the board's action does not violate the
2 provisions of subsection c. of this section, the board may:

3 (1) revise the rebate program, any aspect of the rebates, or the
4 related implementation procedures or processes; and

5 (2) establish additional rebates consistent with the goals of
6 P.L. , c. (C.) (pending before the Legislature as this bill).

7 e. Notwithstanding any other provision of law to the contrary,
8 a light duty plug-in hybrid vehicle shall not qualify for a rebate
9 under the "Light Duty Plug-in Electric Vehicle Rebate Program"
10 after December 31, 2022. An eligible recipient seeking a rebate for
11 a light duty plug-in hybrid vehicle shall file an application for the
12 rebate pursuant to section 17 of P.L. , c. (C.) (pending
13 before the Legislature as this bill) on or before December 31, 2022.

14 f. The board, in cooperation and consultation with the Electric
15 Vehicle Working Group established pursuant to section 4 of P.L. ,
16 c. (C.) (pending before the Legislature as this bill), shall
17 develop and implement a Statewide public education program to
18 publicize the availability of the electric vehicle rebates pursuant to
19 the rebate program and shall coordinate with motor vehicle
20 dealerships, electric public utilities, plug-in electric vehicle
21 manufacturers doing business in the State, and other relevant
22 stakeholder organizations to ensure public awareness of the rebate
23 program.
24

25 15. (New section) a. The seller of an eligible vehicle shall offer
26 the electric vehicle rebate in conjunction with, and in addition to,
27 any other incentive offered by the seller of the eligible vehicle.

28 b. A vehicle dealership, at its discretion, may provide a
29 purchaser the option to have the amount of the electric vehicle
30 rebate deducted from the final negotiated and agreed upon sale
31 price of the eligible vehicle, in which case the full amount of the
32 electric vehicle rebate shall be passed through to the purchaser in
33 full and payment thereof shall be effective immediately at the time
34 of the final sale and transfer of the eligible vehicle to the purchaser.

35 c. If the vehicle dealership does not deduct the amount of the
36 electric vehicle rebate from the final negotiated and agreed upon
37 sale price of the eligible vehicle, or the purchaser does not receive
38 the electric vehicle rebate at the time of purchase, the purchaser
39 may apply directly to the State Treasurer, pursuant to section 17 of
40 P.L. , c. (C.) (pending before the Legislature as this bill),
41 to receive any applicable rebate. The vehicle dealership shall
42 provide to those purchasers at the time of the final sale and transfer
43 of the ownership of the eligible vehicle all the paperwork and
44 transaction-related documentation required by the State Treasurer
45 pursuant to section 17 of P.L. , c. (C.) (pending before the
46 Legislature as this bill) for the purchaser to apply for the electric
47 vehicle rebate.

1 d. The Board of Public Utilities shall provide a website,
2 accessible by the public, that provides up-to-date information about
3 rebate availability, and a mechanism for securing for a specified,
4 limited time rebate commitment for an eligible vehicle purchase.

5 e. The board shall require each seller of a new plug-in electric
6 vehicle to notify the board, upon the final sale and transfer of
7 vehicle to a purchaser, the following information regarding each
8 plug-in electric vehicle sold:

9 (1) the vehicle's make, model, and battery size; and

10 (2) the physical address of the location where the vehicle is
11 expected to typically reside overnight.

12 f. The board shall provide on a quarterly basis to any electric
13 public utility operating in the State the information required and
14 collected pursuant to subsection e. of this section in order to
15 facilitate the appropriate planning for, and reinforcement of,
16 electricity distribution and infrastructure affected by vehicle
17 charging requirements.

18

19 16. (New section) a. There is established in the Department of
20 the Treasury a special, nonlapsing fund to be known as the "Plug-in
21 Electric Vehicle Rebate Fund," also referred to as "the fund." The
22 fund shall be administered by the State Treasurer and shall be
23 credited with:

24 (1) moneys deposited by the Board of Public Utilities pursuant
25 to this subsection for the purposes of the fund;

26 (2) moneys as are appropriated by the Legislature; and

27 (3) any return on investment of moneys deposited in the fund.

28 The board may deposit into the fund moneys received from the
29 societal benefits charge established pursuant to section 11 of
30 P.L.1999, c.23 (C.48:3-60), moneys made available to the board
31 pursuant to the implementation of the Regional Greenhouse Gas
32 Initiative and P.L.2007, c.340 (C.26:2C-45 et seq.), and moneys
33 available from other funding sources as determined by the board.

34 b. Moneys in the fund may be used by the Department of the
35 Treasury solely for authorized rebate disbursements to eligible
36 recipients. The moneys in the fund shall not be used for any
37 administrative costs incurred by the Board of Public Utilities, the
38 Department of Environmental Protection, or the State Treasurer to
39 implement P.L. , c. (C.) (pending before the Legislature as
40 this bill).

41 c. Notwithstanding the provisions of the "Local Budget Law,"
42 N.J.S.40A:4-1 et seq., to the contrary, a county, municipality, or an
43 authority as that term is defined in section 3 of P.L.1983, c.313
44 (C.40A:5A-3) required to comply with the provisions of P.L.2005,
45 c.219 (C.26:2C-8.26 et al.) may anticipate in its annual budget, or
46 any amendments or supplements thereto, those sums to be
47 reimbursed from the fund for the purchase of new light duty plug-in
48 electric vehicles by the county, municipality, or authority. For the

1 purposes of subsection 1. of section 3 of P.L.1976, c.68 (C.40A:4-
2 45.3) and subsection g. of section 4 of P.L.1976, c.68 (C.40A:4-
3 45.4), any rebate provided pursuant to P.L. , c. (C.)
4 (pending before the Legislature as this bill) shall be considered an
5 amount to be received from State funds in disbursement for local
6 expenditures and therefore exempt from the limitation on local
7 budgets imposed pursuant to section 2 of P.L.1976, c.68 (C.40A:4-
8 45.2).

9
10 17. (New section) a. An eligible recipient shall file an
11 application for an electric vehicle rebate with the Department of the
12 Treasury on a form to be developed by the State Treasurer and the
13 board, and with any documentation required by the State Treasurer
14 pursuant to subsection b. of this section. Neither the State
15 Treasurer nor the board may charge an application fee.

16 b. Moneys in the fund shall be allocated and used to provide
17 rebate disbursements in the manner provided in this section and
18 section 16 of P.L. , c. (C.) (pending before the Legislature
19 as this bill). The State Treasurer, in consultation with the board and
20 the department, shall determine the applicability and the calculation
21 of an electric vehicle rebate in accordance with section 14 of
22 P.L. , c. (C.) (pending before the Legislature as this bill).
23 The State Treasurer may require an eligible recipient to submit any
24 documentation the State Treasurer determines necessary, including,
25 but not limited to, an invoice of sale indicating the applicable
26 purchase price, the amount of rebate provided to the purchaser of an
27 eligible vehicle, and the final cost of the vehicle after the rebate was
28 deducted.

29 c. Upon a determination that an application meets all
30 established criteria for a rebate disbursement from the fund, the
31 State Treasurer shall approve the application and award the
32 appropriate disbursement to the applicant. All rebate payments
33 shall be issued within 10 business days after the receipt of a
34 complete application and its approval.

35 d. The State Treasurer shall certify to the board every 30 days
36 the amount available in the fund for the next 30 days.

37
38 18. (New section) a. The State Treasurer shall adopt, in
39 consultation with the board and the department, pursuant to the
40 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
41 seq.), rules and regulations:

42 (1) establishing the filing requirements for a complete
43 application for a rebate disbursement from the fund; and

44 (2) prescribing the necessary documentation of the purchase of
45 an eligible vehicle, pass through to the consumer of the applicable
46 rebate, or any other documentation required by the State Treasurer,
47 board, or department for rebate disbursement.

1 b. When establishing requirements for an application for rebate
2 disbursement, the State Treasurer shall strive to minimize the
3 complexity of the application process and any costs to an applicant
4 for complying with application requirements.

5
6 19. (New section) a. The State Treasurer may deny an
7 application for rebate disbursement from the fund, and any rebate
8 disbursement from the fund may be recoverable by the State
9 Treasurer, upon a finding that:

10 (1) the applicant is not an eligible recipient;

11 (2) the applicant provided false information to obtain a rebate
12 disbursement, or withheld information on an application that would
13 render the applicant ineligible for the rebate disbursement; or

14 (3) the applicant provided false information or withheld
15 information that resulted in the applicant receiving a larger rebate
16 disbursement than the amount the applicant would otherwise be
17 eligible.

18 b. Nothing in this section shall be construed to require the State
19 Treasurer, board, department, or any other State agency to
20 undertake an investigation or make any findings concerning the
21 conduct described in subsection a. of this section.

22
23 20. (New section) The Board of Public Utilities shall adopt,
24 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
25 (C.52:14B-1 et seq.), rules and regulations as may be necessary for
26 the development and installation of infrastructure to achieve the
27 goals set forth in section 3 of P.L. , c. (C.) (pending before
28 the Legislature as this bill) and for implementation of any initiatives
29 and programs established pursuant to P.L. , c. (C.)
30 (pending before the Legislature as this bill).

31
32 21. Section 2 of P.L.2003, c.266 (C.26:2C-8.16) is amended to
33 read as follows:

34 2. As used in **【sections 1 through 7 of】** P.L.2003, c.266
35 **【(C.2C:2C-8.15 et seq.)】** (C.26:2C-8.15 et al.):

36 "Advanced technology partial zero emission vehicle" means a
37 vehicle certified as an advanced technology partial zero emission
38 vehicle pursuant to the California Air Resources Board vehicle
39 standards for the applicable model year **【;】** .

40 "California Low Emission Vehicle program" means the second
41 phase of the low emission vehicle program being implemented in
42 the State of California, pursuant to the provisions of the Federal
43 Clean Air Act and the California Code of Regulations **【;】** .

44 "Commissioner" means the Commissioner of Environmental
45 Protection **【;】** .

46 "Department" means the Department of Environmental
47 Protection **【;】** .

1 "Federal Clean Air Act" means the federal "Clean Air Act," 42
2 U.S.C. s.7401 et seq., and any subsequent amendments or
3 supplements to that act [;] .

4 ["Low Emission Vehicle Review Commission" means the
5 commission established by subsection a. of section 5 of P.L.2003,
6 c.266 (C.26:2C-8.19);]

7 "Partial zero emission vehicle" means a vehicle certified as a
8 partial zero emission vehicle pursuant to the California Air
9 Resources Board vehicle standards for the applicable model year
10 [;] .

11 "State implementation plan" means the State implementation
12 plan for national ambient air quality standards adopted for New
13 Jersey pursuant to the federal Clean Air Act [;] .

14 "Zero emission vehicle" means a vehicle certified as a zero
15 emission vehicle pursuant to the California Air Resources Board
16 zero emission vehicle standards for the applicable model year, but
17 shall not include an advanced technology partial zero emission
18 vehicle or a partial zero emission vehicle [; and] .

19 "Zero emission vehicle requirement" means the percentage or
20 number of those vehicles certified as zero emission vehicles
21 pursuant to the California Air Resources Board vehicle standards
22 and required to be delivered by a manufacturer for sale or lease for
23 the applicable model year, and any additional percentages or
24 numbers of advanced technology partial zero emission vehicles or
25 partial zero emission vehicles that may be delivered by a
26 manufacturer for sale or lease to satisfy the zero emission vehicle
27 requirement established by the California Air Resources Board in
28 lieu of vehicles that meet the pure zero emission vehicle standard.
29 (cf: P.L.2003, c.266, s.2)

30

31 22. Section 3 of P.L.2003, c.266 (C.26:2C-8.17) is amended to
32 read as follows:

33 3. a. Notwithstanding any provision of a State implementation
34 plan submitted by the Department of Environmental Protection to
35 the United States Environmental Protection Agency pursuant to the
36 requirements of the federal "Clean Air Act Amendments of 1990,"
37 42 U.S.C. s.7403 et seq., to the contrary, the department shall
38 implement the California Low Emission Vehicle program and the
39 California zero emission vehicle requirements in the State
40 beginning on January 1, 2009 [, except as provided pursuant to
41 sections 6 and 7 of P.L.2003, c.266 (C.26:2C-8.20 and C.26:2C-
42 8.21)].

43 b. The Commissioner of Environmental Protection, within 30
44 days after a proposed major substantive change to the California
45 Low Emission Vehicle program or the California zero emission
46 vehicle requirements that, if adopted, would necessitate a
47 corresponding substantive change to the program in New Jersey

1 adopted pursuant to subsection a. of this section or rules and
2 regulations adopted pursuant thereto, shall provide written notice
3 and a summary of the proposed substantive change to the Senate
4 Environment and Energy Committee and the Assembly
5 Environment and Solid Waste Committee, or their successors as
6 designated respectively by the President of the Senate and the
7 Speaker of the General Assembly.

8 c. The commissioner shall adopt, pursuant to the
9 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
10 seq.), any rules and regulations necessary to implement the
11 California Low Emission Vehicle program and the California zero
12 emission vehicle requirements in the State beginning on January 1,
13 2009.

14 (cf: P.L.2003, c.266, s.3)

15

16 23. Section 4 of P.L.2003, c.266 (C.26:2C-8.18) is amended to
17 read as follows:

18 4. a. **【The】** Except as provided in subsection e. of this section,
19 the Commissioner of Environmental Protection shall establish a
20 zero emission vehicle credit bank to allow manufacturers to earn
21 and bank vehicle equivalent credits for any advanced technology
22 partial zero emission vehicle or partial zero emission vehicle
23 produced and delivered for sale or lease in the State **【on or after**
24 **January 1, 1999 and through December 31, 2008】**.

25 (1) In establishing the credit bank required by this section, the
26 commissioner shall use the highest multiplier used by the California
27 Air Resources Board for determining the allowable vehicle
28 equivalent credits for each advanced technology partial zero
29 emission vehicle or partial zero emission vehicle delivered for sale
30 or lease in the State by a manufacturer on or after January 1, 1999
31 until the effective date of P.L.2003, c.266 (C.26:2C-8.15 et al.).

32 (2) Beginning on the effective date of P.L.2003,
33 c.266 (C.26:2C-8.15 et al.), the commissioner shall use the
34 multiplier used by the California Air Resources Board for the
35 applicable model year for each advanced technology partial zero
36 emission vehicle or partial zero emission vehicle delivered for sale
37 or lease in the State by a manufacturer on or after the effective date
38 of P.L.2003, c.266 (C.26:2C-8.15 et al.) **【and through December**
39 **31, 2008】**.

40 b. (1) Within 180 days after the effective date of P.L.2003,
41 c.266 (C.26:2C-8.15 et al.), the commissioner shall publish a list in
42 the New Jersey Register of the make and model of those motor
43 vehicles that qualify as advanced technology partial zero emission
44 vehicles or partial zero emission vehicles for the 1999 through 2003
45 model years.

46 (2) Annually thereafter, the commissioner shall publish a list in
47 the New Jersey Register of the make and model of those motor

1 vehicles that qualify as advanced technology partial zero emission
2 vehicles or partial zero emission vehicles for that respective model
3 year.

4 (3) The commissioner may revise any list published pursuant to
5 this subsection as necessary to comply with the California Air
6 Resources Board vehicle standards for the applicable model year.

7 c. Notwithstanding the provisions of the "Administrative
8 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) to the
9 contrary, the commissioner shall, immediately upon filing the
10 proper notice with the Office of Administrative Law, adopt such
11 temporary rules and regulations as necessary to establish a zero
12 emission vehicle credit bank pursuant to subsection a. of this
13 section. These rules and regulations may include, but need not be
14 limited to, the documentation to be submitted by a manufacturer to
15 determine eligibility and participation in the credit bank established
16 pursuant to subsection a. of this section, and fees for administrative
17 services provided to implement the zero emission vehicle credit
18 bank to be assessed to those manufacturers seeking to earn and bank
19 credits. The temporary rules and regulations shall be in effect for a
20 period not to exceed 270 days after the date of the filing, except that
21 in no case shall the temporary rules and regulations be in effect one
22 year after the effective date of P.L.2003, c.266 (C.26:2C-8.15 et
23 al.). The temporary rules and regulations shall thereafter be
24 amended, adopted or readopted by the commissioner as the
25 commissioner determines is necessary in accordance with the
26 requirements of the "Administrative Procedure Act."

27 d. **【**The provisions of this section shall expire upon the passage
28 of a concurrent resolution by the Legislature directing the
29 department to implement the National Low Emission Vehicle
30 program pursuant to subsection a. of section 6 of P.L.2003,
31 c.266 (C.26:2C-8.20).**】** (Deleted by amendment, P.L. _____,
32 c.) (pending before the Legislature as this bill)

33 e. The Commissioner of Environmental Protection shall
34 petition the California Air Resources Board and the Governor of the
35 State of California to revise the California rules and regulations
36 adopted to implement the California Low Emission Vehicle
37 program and the California zero emission vehicle requirements to
38 provide that the vehicles "sold or leased" in the State meet program
39 requirements rather than vehicles "produced and delivered for sale
40 or lease" in the State. Upon the revision by the California Air
41 Resources Board, any reference to vehicles produced and delivered
42 for sale or lease in the State pursuant to State laws, rules, or
43 regulations shall be construed to mean vehicles sold or leased in the
44 State until the appropriate revisions to State laws, rules, or
45 regulations may be enacted or adopted.

46 (cf: P.L.2003, c.266, s.4)

1 24. Section 7 of P.L.2007, c.340 (C.26:2C-51) is amended to
2 read as follows:

3 7. a. The agencies administering programs established pursuant
4 to this section shall maximize coordination in the administration of
5 the programs to avoid overlap between the uses of the fund
6 prescribed in this section.

7 b. Moneys in the fund, after appropriation annually for
8 payment of administrative costs authorized pursuant to subsection c.
9 of this section, shall be annually appropriated and used for the
10 following purposes:

11 (1) Sixty percent shall be allocated to the New Jersey Economic
12 Development Authority to provide grants and other forms of
13 financial assistance to commercial, institutional, and industrial
14 entities to support end-use energy efficiency projects and new,
15 efficient electric generation facilities that are state of the art, as
16 determined by the department, including but not limited to energy
17 efficiency and renewable energy applications, to develop combined
18 heat and power production and other high efficiency electric
19 generation facilities, to stimulate or reward investment in the
20 development of innovative carbon emissions abatement
21 technologies with significant carbon emissions reduction or
22 avoidance potential, to develop qualified offshore wind projects
23 pursuant to section 3 of P.L.2010, c.57 (C.48:3-87.1), and to
24 provide financial assistance to manufacturers of equipment
25 associated with qualified offshore wind projects. The authority, in
26 consultation with the board and the department, shall determine:
27 (a) the appropriate level of grants or other forms of financial
28 assistance to be awarded to individual commercial, institutional,
29 and industrial sectors and to individual projects within each of these
30 sectors; (b) the evaluation criteria for selecting projects to be
31 awarded grants or other forms of financial assistance, which criteria
32 shall include the ability of the project to result in a measurable
33 reduction of the emission of greenhouse gases or a measurable
34 reduction in energy demand, provided, however, that neither the
35 development of a new combined heat and power production facility,
36 nor an increase in the electrical and thermal output of an existing
37 combined heat and power production facility, shall be subject to the
38 requirement to demonstrate such a measurable reduction; and (c)
39 the process by which grants or other forms of financial assistance
40 can be applied for and awarded including, if applicable, the
41 payment terms and conditions for authority investments in certain
42 projects with commercial viability;

43 (2) Twenty percent shall be allocated to the board to support
44 programs that are designed to reduce electricity demand or costs to
45 electricity customers in the low-income and moderate-income
46 residential sector with a focus on urban areas, including efforts to
47 address heat island effect and reduce impacts on ratepayers
48 attributable to the implementation of P.L.2007, c.340 (C.26:2C-45

1 et al.). For the purposes of this paragraph, the board, in
2 consultation with the authority and the department, shall determine
3 the types of programs to be supported and the mechanism by which
4 to quantify benefits to ensure that the supported programs result in a
5 measurable reduction in energy demand;

6 (3) Ten percent shall be allocated to the department to support
7 programs designed to promote local government efforts to plan,
8 develop and implement measures to reduce greenhouse gas
9 emissions, including but not limited to technical assistance to local
10 governments, and the awarding of grants and other forms of
11 assistance to local governments to conduct and implement energy
12 efficiency, renewable energy, and distributed energy programs and
13 land use planning where the grant or assistance results in a
14 measurable reduction of the emission of greenhouse gases or a
15 measurable reduction in energy demand. For the purpose of
16 conducting any program pursuant to this paragraph, the department,
17 in consultation with the authority and the board, shall determine:
18 (a) the appropriate level of grants or other forms of financial
19 assistance to be awarded to local governments; (b) the evaluation
20 criteria for selecting projects to be awarded grants or other forms of
21 financial assistance; (c) the process by which grants or other forms
22 of financial assistance can be applied for and awarded; and (d) a
23 mechanism by which to quantify benefits; and

24 (4) Ten percent shall be allocated to the department to support
25 programs that enhance the stewardship and restoration of the State's
26 forests and tidal marshes that provide important opportunities to
27 sequester or reduce greenhouse gases.

28 c. (1) The department may use up to four percent of the total
29 amount in the fund each year to pay for administrative costs
30 justifiable and approved in the annual budget process, incurred by
31 the department in administering the provisions of P.L.2007, c.340
32 (C.26:2C-45 et al.) and in administering programs to reduce the
33 emissions of greenhouse gases including any obligations that may
34 arise under subsection a. of section 11 of P.L.2007, c.340 (C.26:2C-
35 55).

36 (2) The board may use up to two percent of the total amount in
37 the fund each year to pay for administrative costs justifiable and
38 approved in the annual budget process, incurred by the board in
39 administering the provisions of P.L.2007, c.340 (C.26:2C-45 et al.)
40 and in administering programs to reduce the emissions of
41 greenhouse gases including any obligations that may arise under
42 subsection a. of section 11 of P.L.2007, c.340 (C.26:2C-55).

43 (3) The New Jersey Economic Development Authority may use
44 up to two percent of the total amount in the fund each year to pay
45 for administrative costs justifiable and approved in the annual
46 budget process, incurred by the authority in administering the
47 provisions of P.L.2007, c.340 (C.26:2C-45 et al.) and in

1 administering programs to reduce the emissions of greenhouse
2 gases.

3 d. The State Comptroller shall conduct or supervise
4 independent audit and fiscal oversight functions of the fund and its
5 uses.

6 e. Notwithstanding the provisions of this section to the
7 contrary, the first \$20,000,000 of funds received by the State each
8 year from participation in the Regional Greenhouse Gas Initiative
9 shall be deposited into the Plug-in Elective Vehicle Rebate Fund,
10 established pursuant to section 16 of P.L. , c. (C.) (pending
11 before the Legislature as this bill) for the provision of rebates by the
12 board pursuant to that act. Any remaining funds shall be
13 appropriated and used pursuant to subsections b. and c. of this
14 section.

15 (cf: P.L.2010, c.57, s.5)

16

17 25. Section 8 of P.L.2007, c.340 (C.26:2C-52) is amended to
18 read as follows:

19 8. a. Within one year after the date of enactment of P.L.2007,
20 c.340 (C.26:2C-45 et al.), the department, in consultation with the
21 New Jersey Economic Development Authority and the board, shall
22 adopt, in accordance with the "Administrative Procedure Act,"
23 P.L.1968, c.410 (C.52:14B-1 et seq.), guidelines and a priority
24 ranking system to be used to assist in annually allocating funds to
25 eligible projects or programs pursuant to subsection b. of section 7
26 of P.L.2007, c.340 (C.26:2C-51).

27 b. The guidelines and the priority ranking system developed
28 pursuant to this section for selecting projects or programs to be
29 awarded grants or other forms of financial assistance from the fund
30 shall include but need not be limited to an evaluation of each
31 eligible project or program as to its predicted ability to:

32 (1) result in a net reduction in greenhouse gas emissions in the
33 State or in greenhouse gas emissions from electricity produced out
34 of the State but consumed in the State or net sequestration of
35 carbon;

36 (2) result in significant reductions in greenhouse gases relative
37 to the cost of the project or program and the reduction of impacts on
38 ratepayers attributable to the implementation of P.L.2007, c.340
39 (C.26:2C-45 et al.), and the ability of the project or program to
40 significantly contribute to achievement of the State's 2020 limit and
41 2050 limit established pursuant to the "Global Warming Response
42 Act," P.L.2007, c.112 (C.26:2C-37 et al.), relative to the cost of the
43 project or program;

44 (3) reduce energy use;

45 (4) provide co-benefits to the State, including but not limited to
46 creating job opportunities, reducing other air pollutants, reducing
47 costs to electricity and natural gas consumers, improving local

1 electric system reliability, and contributing to regional initiatives to
2 reduce greenhouse gas emissions; and

3 (5) be directly responsive to the recommendations when
4 submitted by the department to the Legislature pursuant to section 6
5 of the "Global Warming Response Act," P.L.2007, c.112 (C.26:2C-
6 42).

7 c. Notwithstanding the provisions of subsections a. and b. of
8 this section to the contrary, the department shall give high priority
9 to grants for the electric vehicle rebate disbursements for the "Light
10 Duty Plug-in Electric Vehicle Rebate Program," established
11 pursuant to section 14 of P.L. , c. (C.) (pending before the
12 Legislature as this bill).

13 (cf: P.L.2007, c.340, s.8)

14

15 26. Section 12 of P.L.1999, c.23 (C.48:3-60) is amended to read
16 as follows:

17 12. a. Simultaneously with the starting date for the
18 implementation of retail choice as determined by the board pursuant
19 to subsection a. of section 5 of **[this act]** P.L.1999, c.23 (C.48:3-53
20 et seq.), the board shall permit each electric public utility and gas
21 public utility to recover some or all of the following costs through a
22 societal benefits charge that shall be collected as a non-bypassable
23 charge imposed on all electric public utility customers and gas
24 public utility customers, as appropriate:

25 (1) The costs for the social programs for which rate recovery
26 was approved by the board prior to April 30, 1997. For the purpose
27 of establishing initial unbundled rates pursuant to section 4 of **[this**
28 **act]** P.L.1999, c.23 (C.48:3-53 et seq.), the societal benefits charge
29 shall be set to recover the same level of social program costs as is
30 being collected in the bundled rates of the electric public utility on
31 the effective date of **[this act]** P.L.1999, c.23 (C.48:3-53 et seq.).
32 The board may subsequently order, pursuant to its rules and
33 regulations, an increase or decrease in the societal benefits charge
34 to reflect changes in the costs to the utility of administering existing
35 social programs. Nothing in **[his act]** P.L.1999, c.23 (C.48:3-53 et
36 seq.) shall be construed to abolish or change any social program
37 required by statute or board order or rule or regulation to be
38 provided by an electric public utility. Any such social program
39 shall continue to be provided by the utility until otherwise provided
40 by law, unless the board determines that it is no longer appropriate
41 for the electric public utility to provide the program, or the board
42 chooses to modify the program;

43 (2) Nuclear plant decommissioning costs;

44 (3) The costs of demand side management programs that were
45 approved by the board pursuant to its demand side management
46 regulations prior to April 30, 1997. For the purpose of establishing
47 initial unbundled rates pursuant to section 4 of **[this act]** P.L.1999,

1 c.23 (C.48:3-53 et seq.), the societal benefits charge shall be set to
2 recover the same level of demand side management program costs
3 as is being collected in the bundled rates of the electric public
4 utility on the effective date of **【this act】** P.L.1999, c.23 (C.48:3-53
5 et seq.). Within four months of the effective date of **【this act】**
6 P.L.1999, c.23 (C.48:3-53 et seq.), and every four years thereafter,
7 the board shall initiate a proceeding and cause to be undertaken a
8 comprehensive resource analysis of energy programs, and within
9 eight months of initiating such proceeding and after notice,
10 provision of the opportunity for public comment, and public
11 hearing, the board, in consultation with the Department of
12 Environmental Protection, shall determine the appropriate level of
13 funding for energy efficiency and Class I renewable energy
14 programs that provide environmental benefits above and beyond
15 those provided by standard offer or similar programs in effect as of
16 the effective date of **【this act】** P.L.1999, c.23 (C.48:3-53 et seq.);
17 provided that the funding for such programs be no less than 50 **【%】**
18 percent of the total Statewide amount being collected in **【public】**
19 electric and gas public utility rates for demand side management
20 programs on the effective date of **【this act】** P.L.1999, c.23 (C.48:3-
21 53 et seq.) for an initial period of four years from the issuance of
22 the first comprehensive resource analysis following the effective
23 date of **【this act】** P.L.1999, c.23 (C.48:3-53 et seq.), and provided
24 that 25 **【%】** percent of this amount shall be used to provide funding
25 for Class I renewable energy projects in the State. In each of the
26 following fifth through eighth years, the Statewide funding for such
27 programs shall be no less than 50 percent of the total Statewide
28 amount being collected in **【public】** electric and gas public utility
29 rates for demand side management programs on the effective date
30 of **【this act】** P.L.1999, c.23 (C.48:3-53 et seq.), except that as
31 additional funds are made available as a result of the expiration of
32 past standard offer or similar commitments, the minimum amount
33 of funding for such programs shall increase by an additional
34 amount equal to 50 percent of the additional funds made available,
35 until the minimum amount of funding dedicated to such programs
36 reaches \$140,000,000 total. After the eighth year the board shall
37 make a determination as to the appropriate level of funding for
38 these programs. Such programs shall include a program to provide
39 financial incentives for the installation of Class I renewable energy
40 projects in the State, and the board, in consultation with the
41 Department of Environmental Protection, shall determine the level
42 and total amount of such incentives as well as the renewable
43 technologies eligible for such incentives which shall include, at a
44 minimum, photovoltaic, wind, and fuel cells. The board shall
45 simultaneously determine, as a result of the comprehensive resource
46 analysis, the programs to be funded by the societal benefits charge,
47 the level of cost recovery and performance incentives for old and

1 new programs and whether the recovery of demand side
2 management programs' costs currently approved by the board may
3 be reduced or extended over a longer period of time. The board
4 shall make these determinations taking into consideration existing
5 market barriers and environmental benefits, with the objective of
6 transforming markets, capturing lost opportunities, making energy
7 services more affordable for low income customers and eliminating
8 subsidies for programs that can be delivered in the marketplace
9 without electric public utility and gas public utility customer
10 funding;

11 (4) Manufactured gas plant remediation costs, which shall be
12 determined initially in a manner consistent with mechanisms in the
13 remediation adjustment clauses for the electric public utility and gas
14 public utility adopted by the board; **[and]**

15 (5) The cost, of consumer education, as determined by the
16 board, which shall be in an amount that, together with the consumer
17 education surcharge imposed on electric power supplier license fees
18 pursuant to subsection h. of section 29 of **[this act]** P.L.1999, c.23
19 (C.48:3-53 et seq.) and the consumer education surcharge imposed
20 on gas supplier license fees pursuant to subsection g. of section 30
21 of **[this act]** P.L.1999, c.23 (C.48:3-53 et seq.), shall be sufficient
22 to fund the consumer education program established pursuant to
23 section 36 of **[this act]** P.L.1999, c.23 (C.48:3-53 et seq.); and

24 (6) The costs of electric vehicle rebates disbursed for the "Light
25 Duty Plug-in Electric Vehicle Rebate Program," established
26 pursuant to section 14 of P.L. , c. (C.) (pending before the
27 Legislature as this bill). The board may order, pursuant to its rules
28 and regulations, an increase in the societal benefits charge to reflect
29 these costs.

30 b. There is established in the Board of Public Utilities a
31 nonlapsing fund to be known as the "Universal Service Fund." The
32 board shall determine: the level of funding and the appropriate
33 administration of the fund; the purposes and programs to be funded
34 with monies from the fund; which social programs shall be provided
35 by an electric public utility as part of the provision of its regulated
36 services which provide a public benefit; whether the funds
37 appropriated to fund the "Lifeline Credit Program" established
38 pursuant to P.L.1979, c.197 (C.48:2-29.15 et seq.), the "Tenants'
39 Lifeline Assistance Program" established pursuant to P.L.1981,
40 c.210 (C.48:2-29.31 et seq.), the funds received pursuant to the Low
41 Income Home Energy Assistance Program established pursuant to
42 42 U.S.C. s.8621 et seq., and funds collected by electric and natural
43 gas utilities, as authorized by the board, to offset uncollectible
44 electricity and natural gas bills should be deposited in the fund; and
45 whether new charges should be imposed to fund new or expanded
46 social programs.

47 (cf: P.L.1999, c.23, s.12)

1 27. This act shall take effect immediately.

2

3

4

STATEMENT

5

6 This bill would establish goals, initiatives, and programs to
7 encourage and support the use of plug-in electric vehicles in the
8 State.

9 Specifically, section 3 of the bill would establish State goals for
10 the use of plug-in electric vehicles and the development of plug-in
11 electric vehicle charging infrastructure to support that use. Under
12 the bill, no later than December 31, 2020, and every five years
13 thereafter, the Department of Environmental Protection (DEP)
14 would be required to prepare and submit to the Governor and the
15 Legislature a report that: (1) assesses the state of the plug-in
16 electric vehicle market in New Jersey; (2) measures the State's
17 progress toward achieving the goals outlined in the bill; (3)
18 identifies barriers to the achievement of the goals; and (4) makes
19 recommendations for legislative or regulatory action to address
20 those barriers.

21 Section 4 of the bill would establish the Electric Vehicle
22 Working Group, to be composed of 19 members, including the
23 Commissioner of Environmental Protection, the President of the
24 Board of Public Utilities, the Commissioner of Transportation, the
25 Executive Director of the New Jersey Transit Corporation, the
26 Executive Director of the New Jersey Turnpike Authority, the
27 Executive Director of the South Jersey Transportation Authority,
28 the Commissioner of Community Affairs, the Executive Director
29 of the Port Authority of New York and New Jersey, the Chief
30 Executive Officer of the New Jersey Economic Development
31 Authority, and the Director of the Division of Rate Counsel in, but
32 not of, the Department of Treasury, or their respective designees,
33 and various other stakeholders and subject matter experts.

34 The working group would be required to develop, and annually
35 update, a Statewide Vehicle Charging Infrastructure Plan, and
36 monitor implementation of that plan and its effectiveness in
37 advancing the goals established in the bill. Subsection h. of section
38 4 of the bill outlines the information to be incorporated into the
39 State Vehicle Charging Infrastructure Plan. The working group
40 would coordinate the development of the plan with the development
41 and revision of the Statewide Energy Master Plan. The working
42 group would also develop a public education program, to be
43 implemented by the DEP, to inform the public about plug-in electric
44 vehicles and the availability of vehicle charging infrastructure. The
45 working group would issue a final report on the Statewide Vehicle
46 Charging Infrastructure Plan during the calendar year 2035 and
47 dissolve 30 days after the report is issued.

1 Under the bill, the Board of Public Utilities (“the board”), in
2 cooperation with electric public utilities and various government
3 agencies, would be required to develop the essential public charging
4 network. The network would: (1) provide sufficient public
5 charging infrastructure to support a significant expansion in the use
6 of plug-in electric vehicles in the State and consumer confidence in
7 using these vehicles; (2) integrate with the electric distribution
8 system and the electric transmission system; and (3) provide a level
9 of public charging infrastructure sufficient to minimize consumer
10 range anxiety. Each electric public utility in the State would be
11 required to implement the essential public charging network in
12 accordance with the requirements of subsections b. and c. of section
13 9 of the bill.

14 Within one year after the effective date of the bill, each electric
15 public utility in the State would be required to submit to the board a
16 proposed plan for the construction and long-term operation of the
17 essential public charging network within its service territory in
18 accordance with the requirements of section 10 of the bill. No later
19 than 180 days after receipt of a proposed plan, the board would be
20 required to review and issue a determination approving, rejecting,
21 or approving with modifications a utility’s plan. The board order
22 approving, or approving with modifications, a utility’s proposed
23 plan would provide for and approve full and timely recovery,
24 through a separate utility rate clause, all reasonable costs, which
25 may be included in the utility’s rate base as either a capital or
26 regulatory asset. Utilities would be permitted to use funding
27 sources other than recovering costs through customer rates
28 whenever feasible. The bill authorizes utilities to propose
29 programs, incentives, tariffs, and initiatives to support the
30 development of vehicle charging infrastructure.

31 Under the bill, the New Jersey Turnpike Authority, the South
32 Jersey Transportation Authority, and the Department of
33 Transportation would be required to establish publicly-accessible
34 electric vehicle charging parking spaces for the exclusive use of
35 plug-in electric vehicles at their respective service areas. These
36 agencies would be directed to charge a fee to plug-in electric
37 vehicle drivers using the charging equipment in a reasonable
38 amount to recover costs associated with installation and operation
39 of the charging equipment for public use, either directly or through
40 contracted third-parties.

41 No later than 90 days after the effective date of the bill, the
42 board, in cooperation with the State Treasurer and the DEP, would
43 be required to establish and implement the “Light Duty Plug-in
44 Electric Vehicle Rebate Program” for the purpose of encouraging
45 the purchase of light duty plug-in electric vehicles. The board
46 would implement the rebate program until June 30 of the 10th year
47 after the rebate program begins, or after \$300 million in rebate
48 disbursements have been paid from the fund, whichever occurs first.

1 The board would establish the rebate as a one-time payment to the
2 purchaser of a new light duty plug-in electric vehicle in an amount
3 set and calculated by the department as equal to at least \$25 per
4 mile of the eligible vehicle's electric power range as certified by the
5 U.S. Environmental Protection Agency and determined by the DEP,
6 up to a maximum of \$5,000 per eligible vehicle. The board may
7 adjust the rebate amount as necessary to achieve the goals outlined
8 in the bill, but not more than once per aggregate disbursement of
9 \$100 million in rebates. The board, in consultation with the
10 working group, would develop and implement a Statewide public
11 education program to publicize the availability of the rebates under
12 the bill.

13 An "eligible" vehicle is defined in the bill as a new light duty
14 plug-in electric vehicle with a manufacturer's suggested retail price
15 of \$55,000 or less, purchased after the effective date of the bill.

16 "Plug-in electric vehicle" means a vehicle that has a battery or
17 equivalent energy storage device that can be charged from an
18 electricity supply external to the vehicle with an electric plug, and
19 includes a plug-in hybrid vehicle. However, notwithstanding other
20 provisions of the bill, a light duty plug-in hybrid vehicle would not
21 qualify for a rebate after December 31, 2022.

22 Under the bill, a vehicle dealership may, in its discretion,
23 provide a purchaser the option to have the amount of the electric
24 vehicle rebate deducted from the final price of an eligible vehicle.
25 The dealer would then apply to the State Treasurer to receive the
26 rebate. A purchaser who does not receive the rebate at the time of
27 purchase may apply directly to the State Treasurer for the rebate.
28 The board would be required to keep track of, and provide to the
29 public, up-to-date information about rebate availability. Sections
30 17 through 19 establish the process by which an eligible recipient
31 must apply to the Department of Treasury to receive the rebate, and
32 the process by which the Department of Treasury must approve or
33 deny an application. Section 16 of the bill would establish the
34 "Plug-in Electric Vehicle Rebate Fund" to be used by the
35 Department of Treasury solely to make rebate disbursements to
36 eligible recipients. The board would be authorized to deposit into
37 the fund moneys received from the societal benefits charge
38 established pursuant to section 11 of P.L.1999, c.23 (C.48:3-60),
39 moneys made available to the board pursuant to the implementation
40 of the Regional Greenhouse Gas Initiative (RGGI) and P.L.2007,
41 c.340 (C.26:2C-45 et seq.), and moneys available from other
42 funding sources as determined by the board.

43 The bill amends existing law to address implementation issues
44 under the State's adoption of the California Low Emission Vehicle
45 Program and its zero emissions vehicle requirements. The bill
46 would require the Commissioner of Environmental Protection to
47 petition the California Air Resources Board and the Governor of
48 California to revise the State's rules and regulations to provide that

1 the vehicles “sold or leased” in the State meet program
2 requirements rather than vehicles “produced and delivered for sale
3 or lease.” Upon revision by the California Air Resources Board, the
4 term “produced and delivered for sale” in existing State law would
5 be construed to mean “sold or leased,” until State law is revised.

6 The bill provides that the first \$20 million of funds received by
7 the State each year from participation in RGGI would be deposited
8 into the “Plug-in Electric Vehicle Rebate Fund” established in the
9 bill. Finally, the bill would also permit the costs of electric vehicle
10 rebates disbursed under the bill to be recovered through the societal
11 benefits charge, and it would authorize the board, pursuant to its
12 rules and regulations, to order an increase in the societal benefits
13 charge to reflect these costs.

ASSEMBLY ENVIRONMENT AND SOLID WASTE
COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 4819

STATE OF NEW JERSEY

DATED: JANUARY 6, 2020

The Assembly Environment and Solid Waste Committee reports favorably an Assembly Committee Substitute for Assembly Bill No. 4819.

This bill would establish goals and incentives for the increased use of plug-in electric vehicles in New Jersey.

Specifically, section 3 of the bill would establish State goals for the use of plug-in electric vehicles and the development of plug-in electric vehicle charging infrastructure to support that use. The Board of Public Utilities (BPU) and the Department of Environmental Protection (DEP) would be authorized to adopt policies and programs to accomplish the goals established in the bill. No later than December 31, 2020, and every five years thereafter, the DEP would be required to prepare and submit to the Governor and the Legislature a report that: (1) assesses the current state of the plug-in electric vehicle market in New Jersey; (2) measures the State's progress towards achieving the goals established the bill; (3) identifies barriers to the achievement of the goals; and (4) makes recommendations for legislative or regulatory action to address barriers to the achievement of the goals.

The bill would require the BPU to establish and implement a light duty plug-in electric vehicle incentive program for the purpose of encouraging the purchase or lease of new light duty plug-in electric vehicles in the State. The BPU would implement this incentive program until June 30th of the 10th year after establishment of the program, and provide at least \$30 million in disbursements under the program each year. Any incentive offered under this program would take the form of a one-time payment to the purchaser or lessee of an eligible vehicle. An "eligible vehicle" is any new light duty plug-in electric vehicle with an MSRP of below \$55,000 purchased or leased after the effective date of the bill and registered in New Jersey. For the first year an incentive is offered, the amount of the incentive would be equal to \$25 per mile of EPA-rated electric-only range, up to a maximum of \$5,000 per eligible vehicle. For each subsequent year, the BPU would be authorized to change the amount of the incentive and the manner in which an incentive is calculated, provided that no

incentive would exceed \$5,000 per eligible vehicle. The BPU would be authorized to develop additional incentives consistent with the goals of the bill. A light duty plug-in hybrid vehicle would qualify for an incentive under the program until December 31, 2022.

Under the bill, the seller or lessor of an eligible vehicle would be required to offer the light duty plug-in electric vehicle incentive in conjunction with, and in addition to, any other incentives offered by the seller or lessor of an eligible vehicle. The seller or lessor of an eligible vehicle would be required to provide the purchaser or lessee the option to have the amount of the light duty plug-in electric vehicle incentive deducted from the final negotiated and agreed upon sale or lease price of the eligible vehicle. The full amount of the incentive would then be passed through to the purchaser or lessee in full and payment thereof would be effective immediately at the time of the final sale or lease and transfer of the eligible vehicle to the purchaser or lessee. The BPU would be required to establish a process for reimbursing a seller or lessor of an eligible vehicle the cost of an incentive provided by the seller or lessor under the bill.

In addition to the light duty plug-in electric vehicle incentive program established in the bill, the BPU would be authorized to establish and implement an incentive program for the purchase and installation of in-home electric vehicle service equipment. This incentive program may only be implemented until June 30th of the 10th year after establishment of the program. The incentives would take the form of a one-time payment to the person purchasing the in-home electric vehicle service equipment. The amount of the incentive would be determined by the BPU, but would not exceed \$500 per person. Any incentive a person receives for in-home electric vehicle service equipment under the program would be in addition to any incentive the person receives for the purchase or lease of a new light duty plug-in electric vehicle. The BPU would determine the form and manner of the application for, and the disbursement of, incentives pursuant to this section.

The bill would establish a special, nonlapsing fund in the BPU to be known as the Plug-in Electric Vehicle Incentive Fund. The bill would require the BPU to deposit into the fund, each year, \$30 million of moneys received from the societal benefits charge established pursuant to section 12 of P.L.1999, c.23 (C.48:3-60), moneys made available to the BPU pursuant to the implementation of the Regional Greenhouse Gas Initiative and P.L.2007, c.340 (C.26:2C-45 et seq.), and moneys available from other funding sources, as determined by the BPU, to make disbursements under the light duty plug-in electric vehicle incentive program. The BPU would be permitted to deposit into the fund, each year, such additional amounts from the societal benefits charge, as the BPU deems necessary, to make disbursements under an incentive program for in-home electric vehicle service equipment. Moneys in the fund would be used by the BPU solely for

the purpose of disbursing incentives under the bill. The BPU would be permitted to recover any administrative costs incurred in connection with the bill separately from moneys received from the societal benefits charge.

The bill would require the BPU to develop a website, accessible by the public, that provides up-to-date information about the availability of incentives established under the bill. The bill would also require the DEP to develop and implement a public education program to educate consumers about the availability and benefits of plug-in electric vehicles, the State goals for plug-in electric vehicle deployment, and the availability of incentives established under the bill.

The bill would provide that, unless otherwise provided for in law, an entity owning, controlling, operating, or managing electric vehicle service equipment would not be deemed an electric public utility solely because of such ownership, control, operation, or management. The charging of a plug-in electric vehicle would be deemed a service and not a sale of electricity by an electric power supplier or basic generation service provider under the "Electric Discount and Energy Competition Act," P.L.1999, c.23 (C.48:3-49 et al.).

Finally, the bill would amend section 7 of P.L.2007, c.340 (C.26:2C-51) (concerning the use of moneys in the "Global Warming Solutions Fund") and section 12 of P.L.1999, c.23 (C.48:3-60) (concerning the use of moneys received from the societal benefits charge) to reflect that moneys from those sources may be used for the purposes of promoting and incentivizing plug-in electric vehicles and related charging equipment.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 4819

STATE OF NEW JERSEY

DATED: JANUARY 6, 2020

The Assembly Appropriations Committee reports favorably Assembly Bill No. 4819 ACS.

This bill would establish goals and incentives for the increased use of plug-in electric vehicles in New Jersey.

Specifically, section 3 of the bill would establish State goals for the use of plug-in electric vehicles and the development of plug-in electric vehicle charging infrastructure to support that use. The Board of Public Utilities (BPU) and the Department of Environmental Protection (DEP) would be authorized to adopt policies and programs to accomplish the goals established in the bill. No later than December 31, 2020, and every five years thereafter, the DEP would be required to prepare and submit to the Governor and the Legislature a report that: (1) assesses the current state of the plug-in electric vehicle market in New Jersey; (2) measures the State's progress towards achieving the goals established the bill; (3) identifies barriers to the achievement of the goals; and (4) makes recommendations for legislative or regulatory action to address barriers to the achievement of the goals.

The bill would require the BPU to establish and implement a light duty plug-in electric vehicle incentive program for the purpose of encouraging the purchase or lease of new light duty plug-in electric vehicles in the State. The BPU would implement this incentive program until June 30th of the 10th year after establishment of the program, and provide at least \$30 million in disbursements under the program each year. Any incentive offered under this program would take the form of a one-time payment to the purchaser or lessee of an eligible vehicle. An "eligible vehicle" is any new light duty plug-in electric vehicle with an MSRP of below \$55,000 purchased or leased after the effective date of the bill and registered in New Jersey. For the first year an incentive is offered, the amount of the incentive would be equal to \$25 per mile of EPA-rated electric-only range, up to a maximum of \$5,000 per eligible vehicle. For each subsequent year, the BPU would be authorized to change the amount of the incentive and the manner in which an incentive is calculated, provided that no incentive would exceed \$5,000 per eligible vehicle. The BPU would be authorized to develop additional incentives consistent with the

goals of the bill. A light duty plug-in hybrid vehicle would qualify for an incentive under the program until December 31, 2022.

Under the bill, the seller or lessor of an eligible vehicle would be required to offer the light duty plug-in electric vehicle incentive in conjunction with, and in addition to, any other incentives offered by the seller or lessor of an eligible vehicle. The seller or lessor of an eligible vehicle would be required to provide the purchaser or lessee the option to have the amount of the light duty plug-in electric vehicle incentive deducted from the final negotiated and agreed upon sale or lease price of the eligible vehicle. The full amount of the incentive would then be passed through to the purchaser or lessee in full and payment thereof would be effective immediately at the time of the final sale or lease and transfer of the eligible vehicle to the purchaser or lessee. The BPU would be required to establish a process for reimbursing a seller or lessor of an eligible vehicle the cost of an incentive provided by the seller or lessor under the bill.

In addition to the light duty plug-in electric vehicle incentive program established in the bill, the BPU would be authorized to establish and implement an incentive program for the purchase and installation of in-home electric vehicle service equipment. This incentive program may only be implemented until June 30th of the 10th year after establishment of the program. The incentives would take the form of a one-time payment to the person purchasing the in-home electric vehicle service equipment. The amount of the incentive would be determined by the BPU, but would not exceed \$500 per person. Any incentive a person receives for in-home electric vehicle service equipment under the program would be in addition to any incentive the person receives for the purchase or lease of a new light duty plug-in electric vehicle. The BPU would determine the form and manner of the application for, and the disbursement of, incentives pursuant to this section.

The bill would establish a special, nonlapsing fund in the BPU to be known as the Plug-in Electric Vehicle Incentive Fund. The bill would require the BPU to deposit into the fund, each year, \$30 million of moneys received from the societal benefits charge established pursuant to section 12 of P.L.1999, c.23 (C.48:3-60), moneys made available to the BPU pursuant to the implementation of the Regional Greenhouse Gas Initiative and P.L.2007, c.340 (C.26:2C-45 et seq.), and moneys available from other funding sources, as determined by the BPU, to make disbursements under the light duty plug-in electric vehicle incentive program. The BPU would be permitted to deposit into the fund, each year, such additional amounts from the societal benefits charge, as the BPU deems necessary, to make disbursements under an incentive program for in-home electric vehicle service equipment. Moneys in the fund would be used by the BPU solely for the purpose of disbursing incentives under the bill. The BPU would be permitted to recover any administrative costs incurred in connection

with the bill separately from moneys received from the societal benefits charge.

The bill would require the BPU to develop a website, accessible by the public, that provides up-to-date information about the availability of incentives established under the bill. The bill would also require the DEP to develop and implement a public education program to educate consumers about the availability and benefits of plug-in electric vehicles, the State goals for plug-in electric vehicle deployment, and the availability of incentives established under the bill.

The bill would provide that, unless otherwise provided for in law, an entity owning, controlling, operating, or managing electric vehicle service equipment would not be deemed an electric public utility solely because of such ownership, control, operation, or management. The charging of a plug-in electric vehicle would be deemed a service and not a sale of electricity by an electric power supplier or basic generation service provider under the "Electric Discount and Energy Competition Act," P.L.1999, c.23 (C.48:3-49 et al.).

Finally, the bill would amend section 7 of P.L.2007, c.340 (C.26:2C-51) (concerning the use of moneys in the "Global Warming Solutions Fund") and section 12 of P.L.1999, c.23 (C.48:3-60) (concerning the use of moneys received from the societal benefits charge) to reflect that moneys from those sources may be used for the purposes of promoting and incentivizing plug-in electric vehicles and related charging equipment.

FISCAL IMPACT:

The bill could result in an increase in State revenues and State expenditures, each of an indeterminate magnitude, mostly concentrated in the 10-year period after the bill's enactment. The bill's fiscal impact will mostly be determined by the decisions of the Board of Public Utilities (BPU) as to the allocation of societal benefits charge revenue to the purposes of the bill, and whether those decisions will increase or reallocate current levels of revenue and expenditures, respectively, from that source. For example, to meet the bill's mandate that at least \$30 million in societal benefits charge revenue be deposited annually in the Plug-in Electric Vehicle Incentive Fund, the BPU could either increase or reallocate revenue from that source, and could reduce spending on current programs in so doing. Other impacts of the bill will be to increase by an indeterminate amount BPU administrative costs to implement the bill's requirements, and to increase by an indeterminate amount the Department of Environmental Protection's expenditures in order to undertake a public consumer education program about the plug-in electric vehicles and the State's efforts to incentive their deployment.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 4819
STATE OF NEW JERSEY
218th LEGISLATURE

DATED: JANUARY 16, 2020

SUMMARY

- Synopsis:** Establishes goals and incentives for increased use of plug-in electric vehicles in NJ.
- Type of Impact:** Increased expenditures by State and local government entities; State revenue increase.
- Agencies Affected:** All State and local government entities; Board of Public Utilities; Department of Environmental Protection.

Office of Legislative Services Estimate

Fiscal Impact	<u>10 Year Impact</u>
State Expenditure Increase	Indeterminate
State Revenue Increase	Indeterminate
Local Expenditure Increase	Indeterminate

- The Office of Legislative Services (OLS) finds that the bill could increase State expenditure and revenues by indeterminate amounts. This conclusion is rooted in a lack of information concerning future decisions of the Board of Public Utilities (BPU) concerning the electric vehicle incentive program and the in-home electric vehicle charging equipment incentive program, and whether deposits into the Plug-in Electric Vehicle Incentive Fund (fund) from the Societal Benefits Charge (SBC) to support those programs will result in higher SBC revenues and expenditures as opposed to reallocation of current revenues from existing programs.
- The bill will also result in additional administrative costs for the BPU to establish and run these two incentive programs, and for the Department of Environmental Protection’s (DEP) public education effort to promote these programs and the electric vehicle infrastructure goals. The BPU is permitted to recover its administrative costs separately from the SBC, so revenues from that source may increase in amounts up to those additional costs.
- If the BPU increases the SBC to fund these incentives, the bill will result in a possible indeterminate increase in State and local expenditures from higher retail energy prices. The amount of the price increase attributable to the bill is contingent, in part, on the decision made

by the BPU, which the OLS cannot anticipate. An increase in energy prices will yield indeterminate additional State revenues, given that the increase paid by all ratepayers will be subject to the State sales and use tax.

BILL DESCRIPTION

This bill establishes goals and incentives for the increased use of plug-in electric vehicles in New Jersey and the development of plug-in electric vehicle charging infrastructure to support that use. The BPU and the DEP are authorized to adopt policies and programs to accomplish the goals established in the bill. No later than December 31, 2020, and every five years thereafter, the DEP is required to prepare and submit to the Governor and the Legislature a report that: (1) assesses the current state of the plug-in electric vehicle market in New Jersey; (2) measures the State's progress towards achieving the goals established the bill; (3) identifies barriers to the achievement of the goals; and (4) makes recommendations for legislative or regulatory action to address barriers to the achievement of the goals.

The bill requires the BPU to establish and implement a light duty plug-in electric vehicle incentive program. The BPU is to implement this incentive program until June 30th of the 10th year after establishment of the incentive program, and provide no less than \$30 million for the program each year. The incentive offered under this program is a one-time maximum \$5,000 payment to the purchaser or lessee of an eligible vehicle. For the first year an incentive is offered, the amount of the incentive is equal to \$25 per mile of EPA-rated electric-only range up to the \$5,000 maximum. For each subsequent year, the BPU may change the amount of the incentive and the manner in which an incentive is calculated. The BPU is authorized to develop additional incentives consistent with the goals and provisions of the bill. A light duty plug-in hybrid vehicle does not qualify for an incentive under the program after December 31, 2022.

In addition to the light duty plug-in electric vehicle incentive program, the BPU is authorized to establish and implement an incentive program for the purchase and installation of in-home electric vehicle charging equipment. This incentive program may only be implemented until June 30th of the 10th year after establishment of the program. The incentives are to take the form of a one-time payment to the person purchasing the in-home electric vehicle service equipment. The amount of the incentive will be determined by the BPU, but shall not exceed \$500 per person. Any incentive a person receives for in-home electric vehicle charging equipment under the program is in addition to any incentive the person receives for the purchase or lease of a new light duty plug-in electric vehicle. The BPU will determine the form and manner of the application for, and the disbursement of, incentives pursuant to this section. The bill also authorizes the BPU to develop additional incentives for electric vehicle service equipment other than in-home charging equipment.

The bill establishes a special, nonlapsing fund in the BPU to be known as the Plug-in Electric Vehicle Incentive Fund. The bill requires the BPU to deposit into the fund, each year, \$30 million of moneys received from the societal benefits charge established pursuant to section 12 of P.L.1999, c.23 (C.48:3-60), moneys made available to the BPU pursuant to the implementation of the Regional Greenhouse Gas Initiative and P.L.2007, c.340 (C.26:2C-45 et seq.), and moneys available from other funding sources, as determined by the BPU, to make disbursements under the light duty plug-in electric vehicle incentive program. The BPU is permitted to deposit into the fund such additional amounts from the societal benefits charge as the BPU deems necessary to make disbursement under the incentive program for in-home electric vehicle charging equipment. Moneys in the fund are to be used by the BPU solely for the purpose of disbursing incentives under the bill. The BPU also authorized SBC revenues to fund other plug-in electrical vehicle charging

infrastructure. The BPU is also permitted to recover any administrative costs incurred in connection with the bill separately from moneys received from the societal benefits charge.

The bill requires the BPU to develop a website, accessible by the public, which provides up-to-date information about the availability of incentives established under the bill. The bill also requires the DEP to develop and implement a public education program to educate consumers about the availability and benefits of plug-in electric vehicles, the State goals for plug-in electric vehicle deployment, and the availability of incentives established under the bill.

The bill provides that, unless otherwise provided for in law, an entity owning, controlling, operating, or managing electric vehicle service equipment not be deemed an electric public utility solely because of such ownership, control, operation, or management. The charging of a plug-in electric vehicle is deemed a service and not a sale of electricity by an electric power supplier or basic generation service provider under the "Electric Discount and Energy Competition Act," P.L.1999, c.23 (C.48:3-49 et al.).

Finally, the bill amends section 7 of P.L.2007, c.340 (C.26:2C-51) (concerning the use of moneys in the "Global Warming Solutions Fund") and section 12 of P.L.1999, c.23 (C.48:3-60) (concerning the use of moneys received from the societal benefits charge) to reflect that moneys from those sources may be used for the purposes of promoting and incentivizing plug-in electric vehicles and related charging equipment.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that the bill could increase in State expenditures and revenues by indeterminate amounts. This conclusion is rooted in a lack of information concerning future BPU decisions about the size of the electric vehicle incentive program, the in-home electric vehicle charging equipment incentive program, and whether deposits into the Plug-in Electric Vehicle Incentive Fund (fund) from the SBC to support those programs will result in higher SBC revenues expenditures, as opposed to reallocation of current revenues from existing programs.

The electric vehicle incentive program is to run for up to 10 years and distribute no less than \$30 million per year towards the purchase of electric vehicles, but not more than \$5,000 per new eligible electric vehicle. If realized, this will result in a minimum expenditure of \$300 million. The bill requires the BPU to deposit at least \$30 million per year for 10 years into the fund from the SBC to pay for the program.

The in-home electric vehicle charging equipment incentive program is to provide grants of up to \$500 each for individuals buying in-home electric vehicle charging equipment. This program is also to run for 10 years. The bill gives discretion to the BPU to determine the size of the grant, up to \$500, and the total annual amount of disbursements from the fund to support the program.

These two programs will have a minimum cost of \$30 million per year, but possibly more depending upon how the BPU decides to administer the programs. The funding sources identified under the bill are deposits from the SBC or money made available to the BPU from participation in the RGGI. The bill does not increase RGGI revenues nor does it require the BPU to increase total SBC revenue or spending to implement the bill's programs. To the extent the BPU increases

total SBC revenue, because this is a ratepayer supported source of funding, higher retail prices for energy would affect State and local government entities. The amount of the price increase attributable to the bill is contingent, in part, on the decision made by the BPU, which the OLS cannot anticipate. An increase in the price of energy will yield indeterminate additional State revenues, given that the increase paid by all ratepayers will be subject to the State sales and use tax. The OLS cannot determine the percentage of the total cost of any rate increase that will be borne by State and local governments because of a lack of data on their energy consumption.

The State will also realize additional administrative costs for the BPU to establish and run these two incentive programs, as well as the required website. The BPU is permitted to recover its administrative costs separately from the SBC, so it can be expected that the additional administrative costs will be recovered through utility rates. The cost to state and local government units would be negligible once spread over the cost of the State's entire rate base.

The DEP public education effort to promote the electric vehicle infrastructure goals under the bill will also represent a State cost. The magnitude of these costs are indeterminate due to a lack of foreknowledge about how the DEP will structure the education effort and the various strategies to be employed. The design of the education effort itself will be the primary determinate of its eventual cost.

Section: Authorities, Utilities, Transportation and Communications

*Analyst: Patrick Brennan
Principal Fiscal Analyst*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

Governor Murphy Signs Legislation Establishing Statewide Goals and Incentives for Increased Use of Electric Vehicles and Charging Infrastructure

01/17/2020

TRENTON – Governor Phil Murphy today signed comprehensive legislation (S2252) that establishes goals and incentives for the increased use of plug-in electric vehicles and infrastructure in New Jersey. The bill also codifies the Murphy Administration’s goal of 330,000 registered light-duty electric vehicles by 2025 and directs state-owned light-duty vehicles to be electric by 2035. The legislation directs the Department of Environmental Protection and Board of Public Utilities to establish goals for the electrification of medium and heavy-duty vehicles. Additionally, NJ TRANSIT will move toward zero emission bus purchases by 2032. The legislation supports Governor Murphy’s goal of putting New Jersey on a path to a 100 percent clean energy by 2050.

“Increasing the use of electric vehicles is a critical step to secure New Jersey’s clean energy future,” **said Governor Murphy**. “By establishing aggressive goals and strong incentives for electric vehicles, we are repositioning our economy and state for a clean future. Today, I am proudly signing bipartisan legislation that will transform New Jersey’s transportation sector and modernize our infrastructure to support our goal of reaching 100 percent clean energy by 2050.”

The bill also directs that by December 31, 2020, and every five years thereafter, the Department of Environmental Protection is required to prepare and submit to the Governor and the Legislature a report that assesses the state of the plug-in electric vehicle market in New Jersey; measure the state’s progress toward achieving the goals outlined in the bill; identify barriers to the achievement of the goals; and make recommendations for legislative or regulatory action to address those barriers.

The legislation creates a “Light Duty Plug-in Electric Vehicle Rebate Program” to encourage the purchase of light-duty plug-in electric vehicles over a ten-year period. The rebates will provide up to \$5,000 per vehicle and will be funded by approximately \$30 million from the Clean Energy Fund each year. The bill authorizes the use of Regional Greenhouse Gas Initiative funds as well.

Additionally, the bill grants the Board of Public Utilities the authority to also establish an incentive program for the purchase and installation of in-home electric vehicle charging equipment up to \$500 per person. The bill authorizes BPU to deposit monies from the Clean Energy Fund into the newly established Plug-In Electric Vehicle Fund for these incentives in addition to the \$30 million for the vehicle rebates.

“Today’s bill will put more electric vehicles on the road and keep them running throughout the Garden State,” **said New Jersey Department of Environmental Protection Commissioner Catherine R. McCabe**. “This is more than just a win for electric vehicle owners, it is a big leap forward in reducing emissions in New Jersey, giving us cleaner air and helping to reduce the damaging effects of climate change. We thank the Governor and New Jersey’s legislature for taking this bold step, leading the nation toward a greener future.”

“Thank you, Governor Murphy, for signing this legislation advancing the use of electric vehicles in the state of New Jersey, and thank you to the Legislature for passing it,” **said Joseph L. Fiordaliso, President, New Jersey Board of Public Utilities**. “This new law will help residents become a part of the solution in our shared fight to protect the environment and mitigate the impact of climate change. The transportation sector is one of the largest contributors to greenhouse gas emissions in our state and driving an electric vehicle is one of the best ways for a resident to take individual action to reduce their carbon footprint. I encourage everyone to take a look at this smart new incentive and consider whether they might be able to take advantage of it.”

“The New Jersey Department of Transportation, along with its sister state transportation agencies, supports the Governor’s vision of a 100 percent clean energy New Jersey by 2050,” **said NJDOT Commissioner Diane Gutierrez-Scaccetti**. “To that end, we have started the planning process for light duty vehicle fleet conversion. The bill that Governor Murphy signs today ensures that the state’s transportation agencies will stay true to that commitment well into the future.”

Primary sponsors of the legislation include Senators Bob Smith and Linda Greenstein, and Assemblymembers Daniel Benson, Nancy Pinkin, and James Kennedy.

"Given the speed at which the planet is warming, it is imperative we do all that we can to protect the environment," **said Senator Smith**. "Increased usage of electric cars could greatly reduce the state's greenhouse gas emissions and improve air quality. This would have a major positive impact in our urban communities and along high traffic corridors, improving the quality of life for many New Jerseyans."

"Electric vehicles are the future of transportation but many people are reluctant to make the switch for a number of reasons. They cost more upfront and minimal access to charging stations creates uncertainty about their range," **said Senator Greenstein**. "By offering rebates to buyers and building convenient charging stations around the state, this landmark law removes those barriers and paves the way for widespread usage of electric cars all across the state."

"Our goal is to get more electric vehicles on the road, which in turn will result in less greenhouse gas emissions that contribute to climate change, more local jobs to put the charging infrastructure in place, and cleaner air for our communities," **said Assemblyman Benson, chair of the Assembly Transportation Committee**. "For a cleaner, healthier state, this new law will put forth strong attainable goals to increase the amount of electric vehicles and charging stations in New Jersey."

"It is estimated that 75 billion miles are traveled on New Jersey roads every year in vehicles fueled by gasoline and diesel," **said Assemblywoman Pinkin, Chair of the Assembly Environment and Solid Waste Committee**. "By promoting the use of electric vehicles under these goals, we can help make New Jersey air cleaner which would be a huge win for the environment and public health. With the climate crises we are seeing across the world, it is imperative that we move to reduce as carbon footprint as quickly as possible."

"Incentivizing the switch to electric vehicles will not only help save money and reduce emissions, but will be critical in laying the foundation for a self-sustaining market in the long term," **said Assemblyman Kennedy**. "This law ensures we are equipped to build on year-to-year successes."

"Today is a great day for all New Jerseyans thanks to Governor Murphy's signature of the bipartisan EV Bill," **said Ed Potosnak, Executive Director of New Jersey League of Conservation Voters**. "This bill helps transition families and public transportation from dirty, fossil fuel burning vehicles to clean, electric vehicles reducing air pollution and greenhouse gas emissions, improving public health, and saving New Jerseyans' money."

"Governor Murphy signed the most significant legislation in more than 15 years to reduce air pollutants and global warming pollution from our cars and trucks since the passage of the Clean Cars bill in 2004. This bill will make New Jersey a leading state in electrifying our transportation sector and move towards a future of zero tailpipe emissions from our vehicles," **said Doug O'Malley, Director of Environment New Jersey**. "This bill is a huge step to put us on the road to meet our Clean Cars mandates and puts NJ Transit on par with more than 60 transit agencies across America that have committed to electrifying their bus fleets."

"We applaud Governor Murphy and our Senate and Assembly leadership for taking nation leading steps today to clean our air and reduce emissions," **said Pamela Frank, CEO of ChargeEVC**. "The fact that there is remarkable alignment with this law and initiatives that have already begun under Governor Murphy's administration is not an accident. All stakeholders have worked together to get us to this point. With swift implantation of this law, we look forward to setting an example for the rest of the country."