

ASSEMBLY, No. 4634

STATE OF NEW JERSEY

218th LEGISLATURE

INTRODUCED OCTOBER 22, 2018

Sponsored by:

Assemblyman JAMES J. KENNEDY

District 22 (Middlesex, Somerset and Union)

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District 34 (Essex and Passaic)

Co-Sponsored by:

Assemblyman Karabinchak, Assemblywoman Carter and Assemblyman DeAngelo

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: 8/26/2019)

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

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

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

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

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

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

38 (6) (a) By December 31, 2025, 25 percent of all multi-family
39 residential properties in the State shall be equipped with electric
40 vehicle charging equipment for the routine charging of electric
41 vehicles by residents through a combination of Level One EVSE,
42 Level Two EVSE, or charger ready parking spaces, which
43 collectively shall serve a percentage of resident parking spaces
44 equal to the percentage of light duty vehicles registered in the State
45 that are plug-in electric vehicles at the end of the preceding
46 calendar year, or the percentage of vehicles owned by residents that
47 are plug-in electric vehicles, whichever is higher, and (b) by
48 December 31, 2030, 50 percent of all multi-family properties shall

1 be equipped for electric vehicle charging as described in
2 subparagraph (a) of this paragraph;

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

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

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

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

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

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

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

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

1 (3) identifies barriers to the achievement of the goals; and
 2 (4) makes recommendations for legislative or regulatory action
 3 to address the barriers.

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

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

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

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

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

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

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

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

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

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

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

1 member is eligible for reappointment to the working group. The
2 members of the working group shall serve without compensation,
3 but shall be eligible for necessary and reasonable expenses incurred
4 in the performance of their official duties within the limits of funds
5 appropriated or otherwise made available for the working group's
6 purposes.

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

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

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

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

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

45 g. No later than one year after its first organizational meeting,
46 the working group shall publish the Statewide Vehicle Charging
47 Infrastructure Plan. The working group shall annually update the
48 plan in accordance with the information provided by the

1 Department of Environmental Protection in the reports and plug-in
2 electric vehicle market updates issued pursuant to subsection b. of
3 section 3 of P.L. , c. (C.) (pending before the Legislature
4 as this bill).

5 h. The working group shall incorporate into the Statewide
6 Vehicle Charging Infrastructure Plan:

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

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

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

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

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

44 (6) Recommended policies, regulations, programs, or other
45 initiatives that may be taken by State agencies, the public electric
46 utilities, and other organizations or market participants to achieve
47 the long-term success of the goals established in
48 P.L. , c. (C.) (pending before the Legislature as this bill);

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

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

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

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

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

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

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

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

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

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

45
46 5. (New section) The Department of Environmental Protection
47 shall adopt, pursuant to the "Administrative Procedure Act,"
48 P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations as may

1 be necessary for the development and installation of plug-in electric
2 vehicle charging infrastructure to achieve the goals set forth in
3 section 3 of P.L. , c. (C.) (pending before the Legislature
4 as this bill) and for implementation of any initiatives and programs
5 established pursuant to P.L. , c. (C.) (pending before the
6 Legislature as this bill).

7
8 6. (New section) The Department of Community Affairs shall
9 adopt, pursuant to the “Administrative Procedure Act,” P.L.1968,
10 c.410 (C.52:14B-1 et seq.), rules and regulations as may be
11 necessary to achieve the goals set forth in section 3 of
12 P.L. , c. (C.) (pending before the Legislature as this bill)
13 and to implement the programs established pursuant to
14 P.L. , c. (C.) (pending before the Legislature as this bill),
15 including:

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

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

31 (3) any new programs, procedures, rules and regulations, and
32 guidelines that would increase the use of plug-in electric vehicles
33 and expand the number of EVSE installations available for the
34 public use.

35
36 7. (New section) The Department of Transportation, in
37 consultation with the New Jersey Transit Corporation, the New
38 Jersey Turnpike Authority, the South Jersey Transportation
39 Authority, and the New Jersey Economic Development Authority,
40 shall adopt, pursuant to the “Administrative Procedure Act,”
41 P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations as may
42 be necessary for the development and installation of infrastructure
43 to achieve the goals set forth in section 3 of P.L. , c. (C.)
44 (pending before the Legislature as this bill) and for implementation
45 of programs established pursuant to P.L. , c. (C.) (pending
46 before the Legislature as this bill).

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

3 “Board” means the Board of Public Utilities.

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

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

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

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

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

31 “Department” means the Department of Environmental
32 Protection.

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

41 “Eligible recipient” means any purchaser of an eligible vehicle
42 who did not receive the applicable electric vehicle rebate at the time
43 of purchase as part of a reduction of the eligible vehicle’s purchase
44 price, or any seller of an eligible vehicle who has disbursed the
45 electric vehicle rebate pursuant to P.L. , c. (C.) (pending
46 before the Legislature as this bill) to a purchaser at the time of sale
47 through a pass-through reduction in the sale price.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

41 “Travel corridor” means the subset of heavily used public roads
42 designated by the Electric Vehicle Working Group pursuant to
43 section 4 of P.L. , c. (C.) (pending before the Legislature
44 as this bill) for inclusion in the essential public charging network
45 established pursuant to section 9 of P.L. , c. (C.) (pending
46 before the Legislature as this bill), including the Garden State
47 Parkway, the New Jersey Turnpike, the Atlantic City Expressway,
48 federal interstate highways, and the subset of federal or State roads

1 which collectively support the majority of long distance travel
2 through and within the State as well as the majority of daily travel
3 by local drivers.

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

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

20 (2) integrate with the electric distribution system and the
21 electric transmission system; and

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

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

30 (1) 100 DC Fast Charger locations at corridor locations
31 equipped with at least two DC Fast Chargers per location, each
32 capable of providing at least 150 kilowatts of power, with no more
33 than 25 miles between locations wherever feasible;

34 (2) 200 DC Fast Charger locations at community locations
35 equipped with at least two DC Fast Chargers per location, each
36 capable of providing at least 50 kilowatts of power and up to at
37 least 150 kilowatts wherever feasible; and

38 (3) 1000 publicly accessible Level Two EVSE, which after the
39 initial installation may be upgraded to DC Fast Chargers or higher
40 power levels as deemed appropriate by the owner or operator of the
41 EVSE at the network location.

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

47 c. (1) All network DC Fast Chargers shall provide at least two
48 plug types, compliant with the industry equipment standards as

1 defined at the time of installation, and other additional standards as
2 may be introduced based on technology improvements or changes
3 in applicable technical standards and approved for inclusion by the
4 board.

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

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

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

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

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

19

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

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

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

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

45 (4) provide methods for the development, installation, and
46 operation of the network locations, EVSE, and electrical
47 infrastructure and for financing its installation and operation,
48 including, but not necessarily limited to (a) financing plans,

1 financial incentives, new rate designs, tariffs, and how the costs of
2 any programs offered in the proposal shall be recovered fully and in
3 a timely fashion through a separate utility rate clause as approved
4 by the board, (b) partnership programs with local government units
5 or other parties, managed charging or demand response programs,
6 streamlined processes and programs to facilitate interconnection, (c)
7 marketing and other programs to build consumer awareness, and (d)
8 technology trials or other programs that support the goals of
9 P.L. , c. (C.) (pending before the Legislature as this bill).

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

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

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

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

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

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

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

44 d. The board order approving, or approving with modifications,
45 an electric public utility's proposed charging network plan shall
46 provide for and approve full and timely recovery through a separate
47 utility rate clause covering all reasonable costs, which may be
48 included in the electric public utility's rate base as either a capital

1 or regulatory asset. The electric public utility shall implement its
2 charging network plan by using funding sources other than
3 recovering electric public utility expenditures through customer
4 rates whenever feasible.

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

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

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

16 (b) leverage private investment wherever possible;

17 (c) provide customer choice in equipment;

18 (d) optimize net benefit for ratepayers;

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

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

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

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

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

33 (2) provide customer choice in equipment;

34 (3) optimize net benefit for ratepayers;

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

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

44 g. The electric public utilities shall propose tariffs, incentive
45 programs, or other methods that ensure electricity costs for public
46 charging facilities are not restrictive during early market conditions
47 when utilization is low, as determined by the board, including
48 consideration of demand charge impacts, and the costs of such

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

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

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

13 (2) EVSE programs for lodging establishments for use by
14 overnight guests;

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

17 (4) EVSE for fleet operators;

18 (5) EVSE for NJ Transit Corporation;

19 (6) marketing and consumer awareness campaigns;

20 (7) innovative market or technology trials;

21 (8) solutions addressing demand charge implications on
22 electricity costs;

23 (9) programs that facilitate renewable energy and electricity
24 storage integration;

25 (10) programs that encourage vehicle charging at optimal times
26 of day; and

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

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

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

44 (1) By December 31, 2021, or as soon thereafter as practicable,
45 establish publicly accessible EVSE parking spaces for the exclusive
46 use by plug-in electric vehicles at each of the service areas along
47 the New Jersey Turnpike and the Garden State Parkway;

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

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

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

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

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

30

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

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

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

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

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

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

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

21
22 13. a. The Department of Transportation shall, consistent with a
23 charging network plan approved by the board pursuant to section 9
24 of P.L. , c. (C.) (pending before the Legislature as this
25 bill):

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

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

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

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

8
9 14. (New section) a. No later than 90 days after the effective
10 date of P.L. , c. (C.) (pending before the Legislature as this
11 bill), the Board of Public Utilities, in cooperation with the State
12 Treasurer and the Department of Environmental Protection, shall
13 establish and implement a “Light Duty Plug-in Electric Vehicle
14 Rebate Program” for the purpose of encouraging the purchase of
15 light duty plug-in electric vehicles.

16 b. The board shall implement the rebate program until June
17 30th of the 10th year after the rebate program begins, or after
18 \$300,000,000 in rebate disbursements have been paid from the
19 fund, whichever occurs first.

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

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

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

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

44 d. The board shall monitor the rebate disbursements, and shall
45 annually reassess the design and implementation of the rebate
46 program. Provided the board’s action does not violate the
47 provisions of subsection c. of this section, the board may:

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

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

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

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

22
23 15. (New section) a. The seller of an eligible vehicle shall offer
24 the electric vehicle rebate in conjunction with, and in addition to,
25 any other incentive offered by the seller of the eligible vehicle.

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

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

46 d. The Board of Public Utilities shall provide a website,
47 accessible by the public, that provides up-to-date information about

1 rebate availability, and a mechanism for securing for a specified,
2 limited time rebate commitment for an eligible vehicle purchase.

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

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

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

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

16

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

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

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

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

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

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

39 c. Notwithstanding the provisions of the "Local Budget Law,"
40 N.J.S.40A:4-1 et seq., to the contrary, a county, municipality, or an
41 authority as that term is defined in section 3 of P.L.1983, c.313
42 (C.40A:5A-3) required to comply with the provisions of P.L.2005,
43 c.219 (C.26:2C-8.26 et al.) may anticipate in its annual budget, or
44 any amendments or supplements thereto, those sums to be
45 reimbursed from the fund for the purchase of new light duty plug-in
46 electric vehicles by the county, municipality, or authority. For the
47 purposes of subsection 1. of section 3 of P.L.1976, c.68 (C.40A:4-
48 45.3) and subsection g. of section 4 of P.L.1976, c.68 (C.40A:4-

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

7
8 17. (New section) a. An eligible recipient shall file an
9 application for an electric vehicle rebate with the Department of the
10 Treasury on a form to be developed by the State Treasurer and the
11 board, and with any documentation required by the State Treasurer
12 pursuant to subsection b. of this section. Neither the State
13 Treasurer nor the board may charge an application fee.

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

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

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

35
36 18. (New section) a. The State Treasurer shall adopt, in
37 consultation with the board and the department, pursuant to the
38 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
39 seq.), rules and regulations:

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

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

46 b. When establishing requirements for an application for rebate
47 disbursement, the State Treasurer shall strive to minimize the

1 complexity of the application process and any costs to an applicant
2 for complying with application requirements.

3
4 19. (New section) a. The State Treasurer may deny an
5 application for rebate disbursement from the fund, and any rebate
6 disbursement from the fund may be recoverable by the State
7 Treasurer, upon a finding that:

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

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

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

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

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

29
30 21. Section 2 of P.L.2003, c.266 (C.26:2C-8.16) is amended to
31 read as follows:

32 2. As used in **sections 1 through 7 of** P.L.2003, c.266
33 **[(C.2C:2C-8.15 et seq.)] (C.26:2C-8.15 et al.):**

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

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

42 "Commissioner" means the Commissioner of Environmental
43 Protection **;**

44 "Department" means the Department of Environmental
45 Protection **;**

46 "Federal Clean Air Act" means the federal "Clean Air Act," 42
47 U.S.C. s.7401 et seq., and any subsequent amendments or
48 supplements to that act **;**

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

4 "Partial zero emission vehicle" means a vehicle certified as a
5 partial zero emission vehicle pursuant to the California Air
6 Resources Board vehicle standards for the applicable model year
7 **[:]** .

8 "State implementation plan" means the State implementation
9 plan for national ambient air quality standards adopted for New
10 Jersey pursuant to the federal Clean Air Act **[:]** .

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

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

27
28 22. Section 3 of P.L.2003, c.266 (C.26:2C-8.17) is amended to
29 read as follows:

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

40 b. The Commissioner of Environmental Protection, within 30
41 days after a proposed major substantive change to the California
42 Low Emission Vehicle program or the California zero emission
43 vehicle requirements that, if adopted, would necessitate a
44 corresponding substantive change to the program in New Jersey
45 adopted pursuant to subsection a. of this section or rules and
46 regulations adopted pursuant thereto, shall provide written notice
47 and a summary of the proposed substantive change to the Senate

1 Environment and Energy Committee and the Assembly
2 Environment and Solid Waste Committee, or their successors as
3 designated respectively by the President of the Senate and the
4 Speaker of the General Assembly.

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

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

12

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

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

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

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

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

43 (2) Annually thereafter, the commissioner shall publish a list in
44 the New Jersey Register of the make and model of those motor
45 vehicles that qualify as advanced technology partial zero emission
46 vehicles or partial zero emission vehicles for that respective model
47 year.

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

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

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

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

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

44
45 24. Section 7 of P.L.2007, c.340 (C.26:2C-51) is amended to
46 read as follows:

47 7. a. The agencies administering programs established pursuant
48 to this section shall maximize coordination in the administration of

1 the programs to avoid overlap between the uses of the fund
2 prescribed in this section.

3 b. Moneys in the fund, after appropriation annually for
4 payment of administrative costs authorized pursuant to subsection c.
5 of this section, shall be annually appropriated and used for the
6 following purposes:

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

39 (2) Twenty percent shall be allocated to the board to support
40 programs that are designed to reduce electricity demand or costs to
41 electricity customers in the low-income and moderate-income
42 residential sector with a focus on urban areas, including efforts to
43 address heat island effect and reduce impacts on ratepayers
44 attributable to the implementation of P.L.2007, c.340 (C.26:2C-45
45 et al.). For the purposes of this paragraph, the board, in
46 consultation with the authority and the department, shall determine
47 the types of programs to be supported and the mechanism by which

1 to quantify benefits to ensure that the supported programs result in a
2 measurable reduction in energy demand;

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

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

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

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

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

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

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

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

14
15 25. Section 8 of P.L. L.2007, c.340 (C.26:2C-52) is amended to
16 read as follows:

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

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

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

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

42 (3) reduce energy use;

43 (4) provide co-benefits to the State, including but not limited to
44 creating job opportunities, reducing other air pollutants, reducing
45 costs to electricity and natural gas consumers, improving local
46 electric system reliability, and contributing to regional initiatives to
47 reduce greenhouse gas emissions; and

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

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

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

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

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

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

(2) Nuclear plant decommissioning costs;

(3) The costs of demand side management programs that were approved by the board pursuant to its demand side management regulations prior to April 30, 1997. For the purpose of establishing initial unbundled rates pursuant to section 4 of **【this act】** P.L.1999, c.23 (C.48:3-53 et seq.), the societal benefits charge shall be set to recover the same level of demand side management program costs as is being collected in the bundled rates of the electric public

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

1 shall make these determinations taking into consideration existing
2 market barriers and environmental benefits, with the objective of
3 transforming markets, capturing lost opportunities, making energy
4 services more affordable for low income customers and eliminating
5 subsidies for programs that can be delivered in the marketplace
6 without electric public utility and gas public utility customer
7 funding;

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

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

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

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 27. This act shall take effect immediately.

STATEMENT

This bill 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 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. Under the bill, 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 bill; (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 bill would establish the Electric Vehicle Working Group, to be composed of 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 the New Jersey Turnpike Authority, the Executive Director of the 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 bill. Subsection h. of section 4 of the bill 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 the 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 bill, 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

1 charging infrastructure to support a significant expansion in the use
2 of plug-in electric vehicles in the State and consumer confidence in
3 using these vehicles; (2) integrate with the electric distribution
4 system and the electric transmission system; and (3) provide a level
5 of public charging infrastructure sufficient to minimize consumer
6 range anxiety. Each electric public utility in the State would be
7 required to implement the essential public charging network in
8 accordance with the requirements of subsections b. and c. of section
9 9 of the bill.

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

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

37 No later than 90 days after the effective date of the bill, the
38 board, in cooperation with the State Treasurer and the DEP, would
39 be required to establish and implement the "Light Duty Plug-in
40 Electric Vehicle Rebate Program" for the purpose of encouraging
41 the purchase of light duty plug-in electric vehicles. The board
42 would implement the rebate program until June 30 of the 10th year
43 after the rebate program begins, or after \$300 million in rebate
44 disbursements have been paid from the fund, whichever occurs first.
45 The board would establish the rebate as a one-time payment to the
46 purchaser of a new light duty plug-in electric vehicle in an amount
47 set and calculated by the department as equal to at least \$25 per
48 mile of the eligible vehicle's electric power range as certified by the

1 U.S. Environmental Protection Agency and determined by the DEP,
2 up to a maximum of \$5,000 per eligible vehicle. The board may
3 adjust the rebate amount as necessary to achieve the goals outlined
4 in the bill, but not more than once per aggregate disbursement of
5 \$100 million in rebates. The board, in consultation with the
6 working group, would develop and implement a Statewide public
7 education program to publicize the availability of the rebates under
8 the bill.

9 An “eligible” vehicle is defined in the bill as a new light duty
10 plug-in electric vehicle with a manufacturer’s suggested retail price
11 of \$55,000 or less, purchased after the effective date of the bill.

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

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

39 The bill amends existing law to address implementation issues
40 under the State’s adoption of the California Low Emission Vehicle
41 Program and its zero emissions vehicle requirements. The bill
42 would require the Commissioner of Environmental Protection to
43 petition the California Air Resources Board and the Governor of
44 California to revise the State’s rules and regulations to provide that
45 the vehicles “sold or leased” in the State meet program
46 requirements rather than vehicles “produced and delivered for sale
47 or lease.” Upon revision by the California Air Resources Board, the

1 term “produced and delivered for sale” in existing State law would
2 be construed to mean “sold or leased,” until State law is revised.

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