

116TH CONGRESS  
2D SESSION

# H. R. 5545

To promote the domestic manufacture and use of advanced, fuel efficient vehicles and zero emission vehicles, encourage electrification of the transportation sector, create jobs, and improve air quality, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 2020

Mr. RUSH introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To promote the domestic manufacture and use of advanced, fuel efficient vehicles and zero emission vehicles, encourage electrification of the transportation sector, create jobs, and improve air quality, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “New Opportunities to  
5 Expand Healthy Air Using Sustainable Transportation  
6 Act of 2020” or the “NO EXHAUST Act of 2020”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **ELECTRIC VEHICLE SUPPLY EQUIPMENT.**—

4 The term “electric vehicle supply equipment” means  
5 any conductors, including ungrounded, grounded,  
6 and equipment grounding conductors, electric vehicle  
7 connectors, attachment plugs, and all other fittings,  
8 devices, power outlets, or apparatuses installed spe-  
9 cifically for the purpose of delivering energy to an  
10 electric vehicle.

11 (2) **SECRETARY.**—The term “Secretary” means  
12 the Secretary of Energy.

13 (3) **UNDERSERVED OR DISADVANTAGED COM-**  
14 **MUNITY.**—The term “underserved or disadvantaged  
15 community” means a community located in a zip  
16 code within a census tract that is identified as—

17 (A) a low-income urban community;

18 (B) an urban community of color; or

19 (C) any other urban community that the  
20 Secretary determines is disproportionately vul-  
21 nerable to, or bears a disproportionate burden  
22 of, any combination of economic, social, and en-  
23 vironmental stressors.

1 **SEC. 3. ELECTRIC VEHICLE SUPPLY EQUIPMENT REBATE**  
2 **PROGRAM.**

3 (a) REBATE PROGRAM.—Not later than January 1,  
4 2021, the Secretary shall establish a rebate program to  
5 promote the purchase and installation of publicly acces-  
6 sible electric vehicle supply equipment (in this section re-  
7 ferred to as the “rebate program”).

8 (b) REBATE PROGRAM REQUIREMENTS.—

9 (1) ELIGIBLE APPLICANTS.—A rebate under  
10 the rebate program may be made to a individual,  
11 State, local, Tribal, or Territorial government, a pri-  
12 vate entity, or a metropolitan planning organization.

13 (2) ELIGIBLE EQUIPMENT.—

14 (A) IN GENERAL.—Not later than 180  
15 days after the date of the enactment of this  
16 Act, the Secretary shall publish and maintain  
17 on the Department of Energy internet website  
18 a list of electric vehicle supply equipment that  
19 is eligible for the rebate program.

20 (B) UPDATE.—The Secretary may publish  
21 a notice of proposed rulemaking to determine  
22 additional hardware or software equipment re-  
23 quirements that will likely lead to greater usage  
24 of the electric vehicle supply equipment or im-  
25 prove the experience of users of such charging  
26 equipment.

1 (C) LOCATION REQUIREMENT.—To be eli-  
2 gible for the rebate program, the equipment de-  
3 scribed under paragraph (1) shall be installed—

4 (i) in the United States;

5 (ii) on property—

6 (I) owned by the eligible appli-  
7 cant under subsection (b)(1); or

8 (II) on which the eligible appli-  
9 cant under subsection (b)(1) has au-  
10 thority to install electric vehicle sup-  
11 ply equipment; and

12 (iii) at a publicly accessible parking  
13 lot or facility having a minimum of 10  
14 parking spaces and is—

15 (I) open to the public for a min-  
16 imum of 12 hours per day, five days  
17 per week;

18 (II) associated with a multi-unit  
19 housing structure with five or more  
20 housing units; and

21 (III) associated with a workplace  
22 available to an employee of the work-  
23 place or an employee of a nearby  
24 workplace.

25 (3) APPLICATION.—

1 (A) IN GENERAL.—An eligible applicant  
2 under subsection (b)(1) may submit to the Sec-  
3 retary an application for a rebate under the re-  
4 bate program. Such application shall include—

5 (i) the estimated cost of covered ex-  
6 penses to be expended on the installation  
7 of the equipment eligible under subsection  
8 (b)(2);

9 (ii) the estimated installation cost of  
10 the equipment eligible under subsection  
11 (b)(2);

12 (iii) the global positioning system  
13 (GPS) location of the equipment eligible  
14 under subsection (b)(2) and identification  
15 of whether such location is a—

16 (I) multi-unit housing structure;

17 (II) workplace; or

18 (III) publicly accessible parking  
19 lot or facility;

20 (iv) the technical specifications of the  
21 equipment eligible under subsection (b)(2),  
22 including the maximum power and amper-  
23 age of such equipment, to be installed; and

1                   (v) any other information determined  
2                   by the Secretary to be necessary for a com-  
3                   plete application.

4                   (B) REVIEW PROCESS.—The Secretary  
5                   shall review an application for a rebate under  
6                   the rebate program and approve an eligible ap-  
7                   plicant under subsection (b)(1) to receive such  
8                   rebate if—

9                   (i) the application meets the require-  
10                  ments of the rebate program under sub-  
11                  section (b); and

12                  (ii) the Secretary expects amounts ap-  
13                  propriated to be available for such rebate.

14                  (C) NOTIFICATION TO ELIGIBLE APPLI-  
15                  CANT.—Not later than one year after the date  
16                  on which the eligible applicant under subsection  
17                  (b)(3) applies for a rebate under the rebate pro-  
18                  gram, the Secretary shall notify the eligible ap-  
19                  plicant under subsection (b)(1) that they will be  
20                  awarded a rebate under the rebate program fol-  
21                  lowing the submission of additional materials  
22                  required under paragraph (5).

23                  (4) REBATE AMOUNT.—

1 (A) IN GENERAL.—Except as provided in  
2 subparagraph (B), the amount awarded under  
3 the rebate program shall be the lesser of—

4 (i) 75 percent of covered expenses;

5 (ii) \$2,000 for non-networked level 2  
6 charging equipment;

7 (iii) \$4,000 for networked level 2  
8 charging equipment; or

9 (iv) \$75,000 for networked direct cur-  
10 rent fast charging equipment.

11 (B) REBATE AMOUNT FOR REPLACEMENT  
12 EQUIPMENT.—The amount awarded under the  
13 rebate program for replacement electric vehicle  
14 supply equipment shall be the lesser of—

15 (i) 75 percent of covered expenses;

16 (ii) \$1,000 for non-networked level 2  
17 charging equipment;

18 (iii) \$2,000 for networked level 2  
19 charging equipment; or

20 (iv) \$25,000 for networked direct cur-  
21 rent fast charging equipment.

22 (5) DISBURSEMENT OF REBATE.—

23 (A) IN GENERAL.—The Secretary shall  
24 disburse a rebate under the rebate program to  
25 an eligible applicant under subsection (b)(1),

1 following approval of an initial application  
2 under paragraph (3), if such applicant submits  
3 the materials required under subparagraph (B).

4 (B) MATERIALS REQUIRED FOR DISBURSE-  
5 MENT OF REBATE.—Not later than one year  
6 after the date on which the eligible applicant  
7 under subsection (b)(1) receives notice that  
8 they have been approved for a rebate under the  
9 rebate program, such applicant shall submit to  
10 the Secretary the following—

11 (i) the cost of covered expenses ex-  
12 pended on the installation of the equip-  
13 ment eligible under subsection (b)(2);

14 (ii) the installation cost of the equip-  
15 ment eligible under subsection (b)(2);

16 (iii) a record of payment for the  
17 equipment eligible under subsection (b)(2);

18 (iv) the global positioning system  
19 (GPS) location of the equipment eligible  
20 under subsection (b)(2) and identification  
21 of whether such location is a—

22 (I) multi-unit housing structure;

23 (II) workplace; or

24 (III) publicly accessible parking

25 lot or facility;



1 (v) the technical specifications of the  
2 equipment eligible under subsection (b)(2),  
3 including the maximum power and amper-  
4 age of such equipment; and

5 (vi) any other information determined  
6 by the Secretary to be necessary for a com-  
7 plete application.

8 (C) AGREEMENT TO MAINTAIN.—To be eli-  
9 gible for a rebate under the rebate program, an  
10 eligible applicant under subsection (b)(1) shall  
11 enter into an agreement with the Secretary to  
12 maintain the eligible equipment in a satisfac-  
13 tory manner for not less than five years after  
14 the date on which the eligible applicant under  
15 subsection (b)(1) receives the rebate under the  
16 rebate program.

17 (D) AGREEMENT TO REPORT ON USAGE.—  
18 To be eligible for a rebate under the rebate pro-  
19 gram, an eligible applicant under subsection  
20 (b)(1) shall enter into an agreement with the  
21 Secretary to submit, not later than one year  
22 after the date the applicant is awarded a rebate  
23 and annually thereafter for the following two  
24 years, a report on the aggregated data on usage

1 of relevant networked electric vehicle supply  
2 equipment.

3 (E) EXCEPTION.—The Secretary shall not  
4 disburse a rebate under the rebate program if  
5 materials submitted under paragraph (5) do not  
6 meet the same GPS location and technical spec-  
7 ifications for the equipment eligible under sub-  
8 section (b)(2) provided in an application under  
9 paragraph (3).

10 (6) EXCEPTIONS TO REBATE PROGRAM.—

11 (A) MULTI-PORT CHARGERS.—An eligible  
12 applicant under subsection (b)(1) shall be  
13 awarded a rebate under the rebate program for  
14 a multi-port charger based on the number of  
15 publicly accessible charging ports, with each  
16 subsequent port after the first port, being eligi-  
17 ble for 50 percent of the full rebate amount.

18 (B) NETWORKED DIRECT CURRENT FAST  
19 CHARGING.—Of amounts appropriated to carry  
20 out the rebate program under this section, not  
21 more than 25 percent may be used for rebates  
22 of networked direct current fast charging equip-  
23 ment.

24 (7) HYDROGEN FUEL CELL REFUELING INFRA-  
25 STRUCTURE.—For the purposes of this section, hy-

1       drogen refueling equipment shall be eligible for a re-  
2       bate as though it were a networked direct current  
3       fast charging equipment. All requirements related to  
4       public accessibility of installed locations shall apply.

5       (c) DEFINITIONS.—In this section:

6           (1) COVERED EXPENSES.—The term “covered  
7       expenses” means an expense that is associated with  
8       the purchase and installation of electric vehicle sup-  
9       ply equipment, including—

10           (A) the cost of electric vehicle supply  
11       equipment hardware;

12           (B) labor costs associated with the installa-  
13       tion of such hardware, only if wages for such  
14       labor are paid at rates not less than those pre-  
15       vailing on similar labor in the locality of instal-  
16       lation, as determined by the Secretary of Labor  
17       under subchapter IV of chapter 31 of title 40,  
18       United States Code (commonly referred to as  
19       the “Davis-Bacon Act”);

20           (C) material costs associated with the in-  
21       stallation of such hardware, including expenses  
22       involving electrical equipment and necessary up-  
23       grades or modifications to the electrical grid  
24       and associated infrastructure required for the  
25       installation of such hardware;

1 (D) permit costs associated with the instal-  
2 lation of such hardware; and

3 (E) the cost of an on-site energy storage  
4 system.

5 (2) ELECTRIC VEHICLE.—The term “electric  
6 vehicle” means a vehicle that derives all or part of  
7 its power from electricity.

8 (3) MULTI-PORT CHARGER.—The term “multi-  
9 port charger” means electric vehicle supply equip-  
10 ment capable of charging more than one electric ve-  
11 hicle simultaneously.

12 (4) LEVEL 2 CHARGING EQUIPMENT.—The  
13 term “level 2 charging equipment” means electric  
14 vehicle supply equipment that provides an alter-  
15 nating current power source at a minimum of 240-  
16 volts.

17 (5) NETWORKED DIRECT CURRENT FAST  
18 CHARGING EQUIPMENT.—The term “networked di-  
19 rect current fast charging equipment” means electric  
20 vehicle supply equipment that provides a direct cur-  
21 rent power source at a minimum of 50 kilowatts and  
22 is enabled to connect to a network to facilitate data  
23 collection and access.

24 (6) NETWORKED ELECTRIC VEHICLE CHARGING  
25 STATION.—The term “networked electric vehicle

1 charging station” means a charging station that is  
2 enabled to connect to a network to facilitate data  
3 collection and access.

4 (d) AUTHORIZATION OF APPROPRIATIONS.—There is  
5 authorized to be appropriated to carry out this section  
6 \$100,000,000 for each of fiscal years 2021 through 2030.

7 **SEC. 4. EXPANDING ACCESS TO ELECTRIC VEHICLES IN UN-**  
8 **DERSERVED COMMUNITIES.**

9 (a) ASSESSMENT OF ELECTRIC VEHICLE CHARGING  
10 INFRASTRUCTURE IN URBAN AREAS.—

11 (1) IN GENERAL.—

12 (A) ASSESSMENT.—The Secretary shall  
13 conduct an assessment of the state of, chal-  
14 lenges to, and opportunities for the deployment  
15 of electric vehicle charging infrastructure in  
16 urban areas, particularly in underserved or dis-  
17 advantaged communities.

18 (B) REPORT.—Not later than 1 year after  
19 the date of the enactment of this Act, the Sec-  
20 retary shall submit to the Committee on Energy  
21 and Commerce of the House of Representatives  
22 and the Committee on Energy and Natural Re-  
23 sources of the Senate a report on the results of  
24 the assessment conducted under subparagraph  
25 (A), which shall—

1 (i) describe the state of deployment  
2 with respect to electric vehicle charging in-  
3 frastructure in major urban areas through-  
4 out the United States, particularly in un-  
5 derserved or disadvantaged communities,  
6 including information pertaining to—

7 (I) the number of existing and  
8 planned Level 2 and DC FAST charg-  
9 ing stations per capita for charging  
10 individually owned light-duty and me-  
11 dium-duty vehicles;

12 (II) the number of existing and  
13 planned Level 2 and DC FAST charg-  
14 ing stations for charging public and  
15 private fleet vehicles and medium- and  
16 heavy-duty equipment and vehicles;

17 (III) the number of Level 2 and  
18 DC Fast charging stations installed in  
19 or available to occupants of publicly  
20 owned and privately owned multi-unit  
21 dwellings;

22 (IV) policies, plans, and pro-  
23 grams that cities, States, utilities, and  
24 private entities are using to encourage  
25 greater deployment and usage of elec-

1           tric vehicles and the associated elec-  
2           tric vehicle charging infrastructure,  
3           including programs to encourage de-  
4           ployment of charging stations avail-  
5           able to residents in publicly owned  
6           and privately owned multi-unit dwell-  
7           ings;

8                   (V) ownership models for Level 2  
9                   and DC FAST charging stations lo-  
10                  cated in publicly owned and privately  
11                  owned residential multi-unit dwellings,  
12                  commercial buildings, public and pri-  
13                  vate parking areas, and curb-side lo-  
14                  cations;

15                  (VI) how charging stations are fi-  
16                  nanced and the rates charged for  
17                  Level 2 and DC FAST charging; and

18                  (VII) a description of the meth-  
19                  odology used to obtain the informa-  
20                  tion provided in the report;

21                  (ii) identify the barriers to expanding  
22                  deployment of electric vehicle charging in-  
23                  frastructure in urban areas, particularly in  
24                  underserved or disadvantaged commu-  
25                  nities, including any challenges relating to

1 charging infrastructure deployment in  
2 multi-unit dwellings;

3 (iii) compile and provide an analysis  
4 of the best practices and policies used by  
5 State and local governments and private  
6 entities to increase deployment of electric  
7 vehicle charging infrastructure in urban  
8 areas, particularly in underserved or dis-  
9 advantaged communities, including best  
10 practices with respect to—

11 (I) public outreach and engage-  
12 ment; and

13 (II) increasing deployment of  
14 charging infrastructure in publicly  
15 owned and privately owned multi-unit  
16 dwellings; and

17 (iv) enumerate and identify the num-  
18 ber of electric vehicle charging stations per  
19 capita at locations within each major  
20 urban area throughout the United States  
21 with detail at the level of zip codes and  
22 census tracts.

23 (2) FIVE-YEAR UPDATE ASSESSMENT.—Not  
24 later than 5 years after the date of the enactment  
25 of this Act, the Secretary shall—



1 (A) update the assessment conducted  
2 under paragraph (1)(A); and

3 (B) make public and submit to the Com-  
4 mittee on Energy and Commerce of the House  
5 of Representatives and the Committee on En-  
6 ergy and Natural Resources of the Senate a re-  
7 port, which shall—

8 (i) update the information described  
9 in paragraph (1)(B); and

10 (ii) include a description of case stud-  
11 ies and key lessons learned after the report  
12 under paragraph (1)(B) was submitted  
13 with respect to expanding the deployment  
14 of electric vehicle charging infrastructure  
15 in urban areas, particularly in low-income  
16 communities and communities of color.

17 (b) DEFINITIONS.—In this section:

18 (1) ELECTRIC VEHICLE CHARGING INFRA-  
19 STRUCTURE.—The term “electric vehicle charging  
20 infrastructure” means electric vehicle supply equip-  
21 ment and other physical assets that provide for the  
22 distribution of and access to electricity for the pur-  
23 pose of charging an electric vehicle.

24 (2) MAJOR URBAN AREA.—The term “major  
25 urban area” means a metropolitan statistical area

1 within the United States with an estimated popu-  
2 lation that is greater than or equal to 1,500,000.

3 **SEC. 5. ENSURING PROGRAM BENEFITS FOR UNDER-**  
4 **SERVED AND DISADVANTAGED COMMU-**  
5 **NITIES.**

6 In administering programs under this Act, including  
7 pursuant to amendments made by this Act, the Secretary  
8 shall ensure, to the extent practicable, that such programs  
9 provide access to electric vehicle infrastructure, address  
10 transportation needs, and provide improved air quality in  
11 underserved or disadvantaged communities.

12 **SEC. 6. MODEL BUILDING CODE FOR ELECTRIC VEHICLE**  
13 **SUPPLY EQUIPMENT.**

14 (a) DEVELOPMENT.—The Secretary shall develop a  
15 proposal to establish or update, as appropriate, model  
16 building codes for—

17 (1) integrating electric vehicle supply equipment  
18 into residential and commercial buildings that in-  
19 clude space for individual vehicle or fleet vehicle  
20 parking; and

21 (2) integrating onsite renewable power equip-  
22 ment and electric storage equipment (including elec-  
23 tric vehicle batteries to be used for electric storage)  
24 into residential and commercial buildings.

1 (b) CONSULTATION.—In developing the proposal  
2 under subsection (a), the Secretary shall consult with  
3 stakeholders representing the building construction indus-  
4 try, manufacturers of electric vehicles and electric vehicle  
5 supply equipment, State and local governments, and any  
6 other persons with relevant expertise or interests.

7 (c) DEADLINE.—Not later than 1 year after the date  
8 of enactment of this Act, the Secretary shall submit the  
9 proposal developed under subsection (a) to the American  
10 Society of Heating, Refrigerating, and Air Conditioning  
11 Engineers, the International Code Council, and the States  
12 for consideration.

13 **SEC. 7. ELECTRIC VEHICLE SUPPLY EQUIPMENT COORDI-**  
14 **NATION.**

15 (a) IN GENERAL.—Not later than 90 days after the  
16 date of enactment of this Act, the Secretary, acting  
17 through the Assistant Secretary of the Office of Electricity  
18 Delivery and Energy Reliability (including the Smart Grid  
19 Task Force), shall convene a group to assess progress in  
20 the development of standards necessary to—

21 (1) support the expanded deployment of electric  
22 vehicle supply equipment;

23 (2) develop an electric vehicle charging network  
24 to provide reliable charging for electric vehicles na-  
25 tionwide; and

1           (3) ensure the development of such network will  
2           not compromise the stability and reliability of the  
3           electric grid.

4           (b) REPORT TO CONGRESS.—Not later than 1 year  
5           after the date of enactment of this Act, the Secretary shall  
6           provide to the Committee on Energy and Commerce of the  
7           House of Representatives and to the Committee on En-  
8           ergy and Natural Resources of the Senate a report con-  
9           taining the results of the assessment carried out under  
10          subsection (a) and recommendations to overcome any bar-  
11          riers to standards development or adoption identified by  
12          the group convened under such subsection.

13   **SEC. 8. STATE CONSIDERATION OF ELECTRIC VEHICLE**  
14                                   **CHARGING.**

15          (a) CONSIDERATION AND DETERMINATION RESPECT-  
16          ING CERTAIN RATEMAKING STANDARDS.—Section 111(d)  
17          of the Public Utility Regulatory Policies Act of 1978 (16  
18          U.S.C. 2621(d)) is amended by adding at the end the fol-  
19          lowing:

20                   “(20) ELECTRIC VEHICLE CHARGING PRO-  
21                   GRAMS.—

22                                   “(A) IN GENERAL.—Each State shall con-  
23                   sider—

24   “(i) authorizing measures to stimulate  
25                   investment in and deployment of electric

1 vehicle supply equipment and to foster the  
2 market for vehicle charging;

3 “(ii) authorizing each electric utility  
4 of the State to recover from ratepayers any  
5 capital, operating expenditure, or other  
6 costs of the electric utility relating to load  
7 management, programs, or investments as-  
8 sociated with the integration of electric ve-  
9 hicle supply equipment onto the grid and  
10 promoting greater electrification of the  
11 transportation sector; and

12 “(iii) allowing a person or agency that  
13 owns and operates an electric vehicle  
14 charging facility for the sole purpose of re-  
15 charging an electric vehicle battery to be  
16 excluded from regulation as an electric  
17 utility pursuant to section 3(4) when mak-  
18 ing electricity sales from the use of the  
19 electric vehicle charging facility, if such  
20 sales are the only sales of electricity made  
21 by the person or agency.

22 “(B) DEFINITION.—For purposes of this  
23 paragraph, the term ‘electric vehicle supply  
24 equipment’ means conductors, including  
25 ungrounded, grounded, and equipment ground-

1           ing conductors, electric vehicle connectors, at-  
2           tachment plugs, and all other fittings, devices,  
3           power outlets, or apparatuses installed specifi-  
4           cally for the purpose of delivering energy to an  
5           electric vehicle.”.

6           (b) OBLIGATIONS TO CONSIDER AND DETERMINE.—

7           (1) TIME LIMITATIONS.—Section 112(b) of the  
8           Public Utility Regulatory Policies Act of 1978 (16  
9           U.S.C. 2622(b)) is amended by adding at the end  
10          the following:

11           “(7)(A) Not later than 1 year after the enact-  
12          ment of this paragraph, each State regulatory au-  
13          thority (with respect to each electric utility for which  
14          it has ratemaking authority) and each nonregulated  
15          utility shall commence the consideration referred to  
16          in section 111, or set a hearing date for consider-  
17          ation, with respect to the standards established by  
18          paragraph (20) of section 111(d).

19           “(B) Not later than 2 years after the date of  
20          the enactment of this paragraph, each State regu-  
21          latory authority (with respect to each electric utility  
22          for which it has ratemaking authority), and each  
23          nonregulated electric utility, shall complete the con-  
24          sideration, and shall make the determination, re-  
25          ferred to in section 111 with respect to each stand-

1       ard established by paragraph (20) of section  
2       111(d).”.

3           (2) FAILURE TO COMPLY.—Section 112(c) of  
4       the Public Utility Regulatory Policies Act of 1978  
5       (16 U.S.C. 2622(c)) is amended by striking “(19)”  
6       and inserting “(20)”.

7           (3) PRIOR STATE ACTIONS.—Section 112 of the  
8       Public Utility Regulatory Policies Act of 1978 (16  
9       U.S.C. 2622) is amended by adding at the end the  
10      following:

11      “(g) PRIOR STATE ACTIONS.—Subsections (b) and  
12      (c) of this section shall not apply to the standard estab-  
13      lished by paragraph (20) of section 111(d) in the case of  
14      any electric utility in a State if, before the enactment of  
15      this subsection—

16           “(1) the State has implemented for such utility  
17           the standard concerned (or a comparable standard);

18           “(2) the State regulatory authority for such  
19           State or relevant nonregulated electric utility has  
20           conducted a proceeding to consider implementation  
21           of the standard concerned (or a comparable stand-  
22           ard) for such utility;

23           “(3) the State legislature has voted on the im-  
24           plementation of such standard (or a comparable  
25           standard) for such utility; or

1           “(4) the State has taken action to implement  
2           incentives or other steps to strongly encourage the  
3           deployment of electric vehicles.”.

4 **SEC. 9. STATE ENERGY PLANS.**

5           (a) STATE ENERGY CONSERVATION PLANS.—Section  
6 362(d) of the Energy Policy and Conservation Act (42  
7 U.S.C. 6322(d)) is amended—

8           (1) in paragraph (16), by striking “; and” and  
9           inserting a semicolon;

10           (2) by redesignating paragraph (17) as para-  
11           graph (18); and

12           (3) by inserting after paragraph (16) the fol-  
13           lowing:

14           “(17) a State energy transportation plan devel-  
15           oped in accordance with section 367; and”.

16           (b) AUTHORIZATION OF APPROPRIATIONS.—Section  
17 365(f) of the Energy Policy and Conservation Act (42  
18 U.S.C. 6325(f)) is amended to read as follows:

19           “(f) AUTHORIZATION OF APPROPRIATIONS.—

20           “(1) STATE ENERGY CONSERVATION PLANS.—

21           For the purpose of carrying out this part, there are  
22           authorized to be appropriated the following:

23           “(A) \$100,000,000 for each of fiscal years  
24           2021 through 2025.



1                   “(B) \$125,000,000 for each of fiscal years  
2                   2026 through 2030.

3                   “(2) STATE ENERGY TRANSPORTATION  
4 PLANS.—In addition to the amounts authorized  
5 under paragraph (1), for the purpose of carrying out  
6 section 367, there are authorized to be appropriated  
7 the following:

8                   “(A) \$25,000,000 for each of fiscal years  
9                   2021 through 2025.

10                   “(B) \$35,000,000 for each of fiscal years  
11                   2026 through 2030.”.

12                   (c) STATE ENERGY TRANSPORTATION PLANS.—Part  
13 D of title III of the Energy Policy and Conservation Act  
14 (42 U.S.C. 6321 et seq.) is amended by adding at the end  
15 the following:

16 **“SEC. 367. STATE ENERGY TRANSPORTATION PLANS.**

17                   “(a) IN GENERAL.—The Secretary may provide fi-  
18 nancial assistance to a State to develop a State energy  
19 transportation plan, for inclusion in a State energy con-  
20 servation plan under section 362(d), to promote the elec-  
21 trification of the transportation system, reduced consump-  
22 tion of fossil fuels, and improved air quality.

23                   “(b) DEVELOPMENT.—A State developing a State en-  
24 ergy transportation plan under this section shall carry out  
25 this activity through the State energy office that is respon-

1 sible for developing the State energy conservation plan  
2 under section 362.

3 “(c) CONTENTS.—A State developing a State energy  
4 transportation plan under this section shall include in such  
5 plan a plan to—

6 “(1) deploy a network of electric vehicle supply  
7 equipment to ensure access to electricity for electric  
8 vehicles; and

9 “(2) promote modernization of the electric grid  
10 to accommodate demand for power to operate elec-  
11 tric vehicle supply equipment and to utilize energy  
12 storage capacity provided by electric vehicles.

13 “(d) COORDINATION.—In developing a State energy  
14 transportation plan under this section, a State shall co-  
15 ordinate, as appropriate, with—

16 “(1) State regulatory authorities (as defined in  
17 section 3 of the Public Utility Regulatory Policies  
18 Act of 1978 (16 U.S.C. 2602));

19 “(2) electric utilities;

20 “(3) regional transmission organizations or  
21 independent system operators;

22 “(4) private entities that provide electric vehicle  
23 charging services;

24 “(5) State transportation agencies, metropoli-  
25 tan planning organizations, and local governments;

1 “(6) electric vehicle manufacturers;

2 “(7) public and private entities that manage ve-  
3 hicle fleets; and

4 “(8) public and private entities that manage  
5 ports, airports, or other transportation hubs.

6 “(e) TECHNICAL ASSISTANCE.—Upon request of the  
7 Governor of a State, the Secretary shall provide informa-  
8 tion and technical assistance in the development, imple-  
9 mentation, or revision of a State energy transportation  
10 plan.

11 “(f) ELECTRIC VEHICLE SUPPLY EQUIPMENT DE-  
12 FINED.—For purposes of this section, the term ‘electric  
13 vehicle supply equipment’ means conductors, including  
14 ungrounded, grounded, and equipment grounding conduc-  
15 tors, electric vehicle connectors, attachment plugs, and all  
16 other fittings, devices, power outlets, or apparatuses in-  
17 stalled specifically for the purpose of delivering energy to  
18 an electric vehicle.”.

19 **SEC. 10. TRANSPORTATION ELECTRIFICATION.**

20 Section 131 of the Energy Independence and Security  
21 Act of 2007 (42 U.S.C. 17011) is amended—

22 (1) in subsection (a)(6)—

23 (A) in the matter preceding subparagraph

24 (A), by striking “and petroleum,” and inserting

25 “petroleum, expand use of electric vehicles, and

1 facilitate electrification of the transportation  
2 sector,”;

3 (B) in subparagraph (A), by inserting  
4 “and ground support equipment at ports” be-  
5 fore the semicolon;

6 (C) in subparagraph (E), by inserting  
7 “and vehicles” before the semicolon;

8 (D) in subparagraph (H), by striking  
9 “and” at the end;

10 (E) in subparagraph (I)—

11 (i) by striking “battery chargers,”;

12 and

13 (ii) by striking the period at the end  
14 and inserting a semicolon; and

15 (F) by adding at the end the following:

16 “(J) plug-in electric vehicle charging infra-  
17 structure, including publicly accessible charging  
18 infrastructure, including infrastructure acces-  
19 sible to rural, urban, and low-income commu-  
20 nities or infrastructure on commercial property;  
21 and

22 “(K) multi-use charging hubs used for  
23 multiple forms of transportation.”;

24 (2) in subsection (b)—

25 (A) in paragraph (3)(A)—

1 (i) in clause (i), by striking “and” at  
2 the end;

3 (ii) in clause (ii), by inserting “, vehi-  
4 cle components, and plug-in electric vehicle  
5 charging equipment” after “vehicles”; and

6 (iii) by adding at the end the fol-  
7 lowing:

8 “(iii) contain a written assurance that  
9 all laborers and mechanics employed by  
10 contractors or subcontractors during con-  
11 struction, alteration, or repair that is fi-  
12 nanced, in whole or in part, by a grant  
13 under this section shall be paid wages at  
14 rates not less than those prevailing on  
15 similar construction in the locality, as de-  
16 termined by the Secretary of Labor in ac-  
17 cordance with sections 3141 through 3144,  
18 3146, and 3147 of title 40, United States  
19 Code (and the Secretary of Labor shall,  
20 with respect to the labor standards de-  
21 scribed in this clause, have the authority  
22 and functions set forth in Reorganization  
23 Plan Numbered 14 of 1950 (5 U.S.C.  
24 App.) and section 3145 of title 40, United  
25 States Code); and”;

1 (B) in paragraph (6), by striking  
2 “\$90,000,000 for each of fiscal years 2008  
3 through 2012” and inserting “\$2,000,000,000  
4 for each of fiscal years 2021 through 2030”;  
5 and

6 (3) in subsection (c)—

7 (A) in the header, by striking “NEAR-  
8 TERM” and inserting “LARGE-SCALE”; and

9 (B) in paragraph (4), by striking  
10 “\$95,000,000 for each of fiscal years 2008  
11 through 2013” and inserting “\$2,500,000,000  
12 for each of fiscal years 2021 through 2030”.

13 **SEC. 11. FEDERAL FLEETS.**

14 (a) **MINIMUM FEDERAL FLEET REQUIREMENT.**—  
15 Section 303 of the Energy Policy Act of 1992 (42 U.S.C.  
16 13212) is amended—

17 (1) by striking subsection (b) and inserting the  
18 following:

19 “(b) **PERCENTAGE REQUIREMENTS.**—

20 “(1) **IN GENERAL.**—

21 “(A) **LIGHT-DUTY VEHICLES.**—Beginning  
22 in fiscal year 2025, 100 percent of the total  
23 number of light-duty vehicles acquired by a  
24 Federal fleet shall be alternative fueled vehicles,  
25 of which—

1           “(i) at least 50 percent shall be zero  
2           emission vehicles or plug-in hybrids in fis-  
3           cal years 2025 through 2034;

4           “(ii) at least 75 percent shall be zero  
5           emission vehicles or plug-in hybrids in fis-  
6           cal years 2035 through 2049; and

7           “(iii) 100 percent shall be zero emis-  
8           sion vehicles in fiscal year 2050 and there-  
9           after.

10          “(B) MEDIUM- AND HEAVY-DUTY VEHI-  
11          CLES.—The following percentages of the total  
12          number of medium- and heavy-duty vehicles ac-  
13          quired by a Federal fleet shall be alternative  
14          fueled vehicles:

15               “(i) At least 20 percent in fiscal years  
16               2025 through 2029.

17               “(ii) At least 30 percent in fiscal  
18               years 2030 through 2039.

19               “(iii) At least 40 percent in fiscal  
20               years 2040 through 2049.

21               “(iv) At least 50 percent in fiscal year  
22               2050 and thereafter.

23          “(2) EXCEPTION.—The Secretary, in consulta-  
24          tion with the Administrator of General Services  
25          where appropriate, may permit a Federal fleet to ac-

1       quire a smaller percentage than is required in para-  
2       graph (1), so long as the aggregate percentage ac-  
3       quired for each class of vehicle by all Federal fleets  
4       is at least equal to the required percentage.

5           “(3) DEFINITIONS.—In this subsection:

6           “(A) FEDERAL FLEET.—The term ‘Fed-  
7       eral fleet’ means a fleet of vehicles that are cen-  
8       trally fueled or capable of being centrally fueled  
9       and are owned, operated, leased, or otherwise  
10      controlled by or assigned to any Federal execu-  
11      tive department, military department, Govern-  
12      ment corporation, independent establishment,  
13      or executive agency, the United States Postal  
14      Service, the Congress, the courts of the United  
15      States, or the Executive Office of the President.

16      Such term does not include—

17           “(i) motor vehicles held for lease or  
18           rental to the general public;

19           “(ii) motor vehicles used for motor ve-  
20           hicle manufacturer product evaluations or  
21           tests;

22           “(iii) law enforcement vehicles;

23           “(iv) emergency vehicles; or

24           “(v) motor vehicles acquired and used  
25           for military purposes that the Secretary of



1 Defense has certified to the Secretary must  
2 be exempt for national security reasons.

3 “(B) FLEET.—The term ‘fleet’ means—

4 “(i) 20 or more light-duty vehicles, lo-  
5 cated in a metropolitan statistical area or  
6 consolidated metropolitan statistical area,  
7 as established by the Bureau of the Cen-  
8 sus, with a 1980 population of more than  
9 250,000; or

10 “(ii) 10 or more medium- or heavy-  
11 duty vehicles, located at a Federal facility  
12 or located in a metropolitan statistical area  
13 or consolidated metropolitan statistical  
14 area, as established by the Bureau of the  
15 Census, with a 1980 population of more  
16 than 250,000.”; and

17 (2) in subsection (f)(2)(B)—

18 (A) by striking “, either”; and

19 (B) in clause (i), by striking “or” and in-  
20 serting “and”.

21 (b) FEDERAL FLEET CONSERVATION REQUIRE-  
22 MENTS.—Section 400FF(a) of the Energy Policy and  
23 Conservation Act (42 U.S.C. 6374e) is amended—

24 (1) in paragraph (1)—

1 (A) by striking “18 months after the date  
2 of enactment of this section” and inserting “12  
3 months after the date of enactment of the NO  
4 EXHAUST Act of 2020”;

5 (B) by striking “2010” and inserting  
6 “2022”; and

7 (C) by striking “and increase alternative  
8 fuel consumption” and inserting “, increase al-  
9 ternative fuel consumption, and reduce vehicle  
10 greenhouse gas emissions”; and

11 (2) by striking paragraph (2) and inserting the  
12 following:

13 “(2) GOALS.—The goals of the requirements  
14 under paragraph (1) are that each Federal agency  
15 shall—

16 “(A) reduce fleet-wide per-mile greenhouse  
17 gas emissions from agency fleet vehicles, rel-  
18 ative to a baseline of emissions in 2015, by—

19 “(i) not less than 30 percent by the  
20 end of fiscal year 2025;

21 “(ii) not less than 50 percent by the  
22 end of fiscal year 2030; and

23 “(iii) 100 percent by the end of fiscal  
24 year 2050; and

1 “(B) increase the annual percentage of al-  
2 ternative fuel consumption by agency fleet vehi-  
3 cles as a proportion of total annual fuel con-  
4 sumption by Federal fleet vehicles, to achieve—

5 “(i) 25 percent of total annual fuel  
6 consumption that is alternative fuel by the  
7 end of fiscal year 2025;

8 “(ii) 50 percent of total annual fuel  
9 consumption that is alternative fuel by the  
10 end of fiscal year 2035; and

11 “(iii) at least 85 percent of total an-  
12 nual fuel consumption that is alternative  
13 fuel by the end of fiscal year 2050.”.

14 **SEC. 12. DOMESTIC MANUFACTURING CONVERSION GRANT**  
15 **PROGRAM.**

16 (a) HYBRID VEHICLES, ADVANCED VEHICLES, AND  
17 FUEL CELL BUSES.—Subtitle B of title VII of the Energy  
18 Policy Act of 2005 (42 U.S.C. 16061 et seq.) is amend-  
19 ed—

20 (1) in the subtitle header, by inserting “**Plug-**  
21 **In Electric Vehicles,**” before “**Hybrid Vehi-**  
22 **cles**”; and

23 (2) in part 1, in the part header, by striking  
24 “**HYBRID**” and inserting “**PLUG-IN ELECTRIC**”.

1 (b) PLUG-IN ELECTRIC VEHICLES.—Section 711 of  
2 the Energy Policy Act of 2005 (42 U.S.C. 16061) is  
3 amended to read as follows:

4 **“SEC. 711. PLUG-IN ELECTRIC VEHICLES.**

5 “The Secretary shall accelerate domestic manufac-  
6 turing efforts directed toward the improvement of bat-  
7 teries, power electronics, and other technologies for use  
8 in plug-in electric vehicles.”.

9 (c) EFFICIENT HYBRID AND ADVANCED DIESEL VE-  
10 HICLES.—Section 712 of the Energy Policy Act of 2005  
11 (42 U.S.C. 16062) is amended—

12 (1) in subsection (a)—

13 (A) in paragraph (1), by inserting “, plug-  
14 in electric vehicles,” after “efficient hybrid”;  
15 and

16 (B) by amending paragraph (3) to read as  
17 follows:

18 “(3) PRIORITY.—Priority shall be given to—

19 “(A) the refurbishment or retooling of  
20 manufacturing facilities that have recently  
21 ceased operation or will cease operation in the  
22 near future; and

23 “(B) applications containing a written as-  
24 surance that—

1           “(i) all laborers and mechanics em-  
2           ployed by contractors or subcontractors  
3           during construction, alteration, retooling,  
4           or repair that is financed, in whole or in  
5           part, by a grant under this subsection shall  
6           be paid wages at rates not less than those  
7           prevailing on similar construction in the lo-  
8           cality, as determined by the Secretary of  
9           Labor in accordance with sections 3141  
10          through 3144, 3146, and 3147 of title 40,  
11          United States Code;

12          “(ii) all laborers and mechanics em-  
13          ployed by the owner or operator of a man-  
14          ufacturing facility that is financed, in  
15          whole or in part, by a grant under this  
16          subsection shall be paid wages at rates not  
17          less than those prevailing on similar con-  
18          struction in the locality, as determined by  
19          the Secretary of Labor in accordance with  
20          sections 3141 through 3144, 3146, and  
21          3147 of title 40, United States Code; and

22          “(iii) the Secretary of Labor shall,  
23          with respect to the labor standards de-  
24          scribed in this paragraph, have the author-  
25          ity and functions set forth in Reorganiza-

1                   tion Plan Numbered 14 of 1950 (5 U.S.C.  
2                   App.) and section 3145 of title 40, United  
3                   States Code.”; and

4                   (2) by striking subsection (c) and inserting the  
5                   following:

6                   “(c) COST SHARE AND GUARANTEE OF OPER-  
7                   ATION.—

8                   “(1) CONDITION.—A recipient of a grant under  
9                   this section shall pay the Secretary the full amount  
10                  of the grant if the facility financed in whole or in  
11                  part under this subsection fails to manufacture  
12                  goods for a period of at least 10 years after the com-  
13                  pletion of construction.

14                  “(2) COST SHARE.—Section 988(c) shall apply  
15                  to a grant made under this subsection.

16                  “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
17                  is authorized to be appropriated to the Secretary \$2.5 bil-  
18                  lion for each of fiscal years 2021 through 2030.

19                  “(e) PERIOD OF AVAILABILITY.—An award made  
20                  under this section after the date of enactment of this sub-  
21                  section shall only be available with respect to facilities and  
22                  equipment placed in service before December 30, 2035.”.

1 **SEC. 13. ADVANCED TECHNOLOGY VEHICLES MANUFAC-**  
2 **TURING INCENTIVE PROGRAM.**

3 Section 136 of the Energy Independence and Security  
4 Act of 2007 (42 U.S.C. 17013) is amended—

5 (1) in subsection (a)—

6 (A) in paragraph (1)—

7 (i) by redesignating subparagraphs  
8 (A) through (C) as clauses (i) through  
9 (iii), respectively, and indenting appro-  
10 priately;

11 (ii) by striking “(1) ADVANCED TECH-  
12 NOLOGY VEHICLE.—” and all that follows  
13 through “meets—” and inserting the fol-  
14 lowing:

15 “(1) ADVANCED TECHNOLOGY VEHICLE.—The  
16 term ‘advanced technology vehicle’ means—

17 “(A) an ultra efficient vehicle;

18 “(B) a light duty vehicle that meets—”;

19 (iii) by amending subparagraph  
20 (B)(iii) (as so redesignated) to read as fol-  
21 lows:

22 “(iii) the applicable regulatory stand-  
23 ards for emissions of greenhouse gases for  
24 model year 2021 through 2025 vehicles  
25 promulgated by the Administrator of the  
26 Environmental Protection Agency on Octo-

1 ber 15, 2012 (77 Fed. Reg. 62624); or”;

2 and

3 (iv) by adding at the end the fol-  
4 lowing:

5 “(C) a heavy-duty vehicle (including a me-  
6 dium-duty passenger vehicle), as defined in sec-  
7 tion 86.1803–01 of title 40, Code of Federal  
8 Regulations (or successor regulations), that—

9 “(i) complies early with the applicable  
10 regulatory standards for emissions of  
11 greenhouse gases for model year 2024 ve-  
12 hicles promulgated by the Administrator  
13 on October 25, 2016 (81 Fed. Reg.  
14 73478);

15 “(ii) complies early with, or dem-  
16 onstrates achievement below, the applicable  
17 regulatory standards for emissions of  
18 greenhouse gases for model year 2027 ve-  
19 hicles promulgated by the Administrator  
20 on October 25, 2016 (81 Fed. Reg.  
21 73478); or

22 “(iii) emits zero emissions of green-  
23 house gases.”;



1 (B) by striking paragraph (2) and redesignig-  
2 nating paragraphs (3) through (5) as para-  
3 graphs (2) through (4), respectively; and

4 (C) by amending paragraph (3) (as so re-  
5 designated) to read as follows:

6 “(4) QUALIFYING COMPONENTS.—The term  
7 ‘qualifying components’ means components, systems,  
8 or groups of subsystems that the Secretary deter-  
9 mines to be designed to reduce emissions of green-  
10 house gases or oxides of nitrogen.”;

11 (2) in subsection (b)—

12 (A) in the matter preceding paragraph  
13 (1)—

14 (i) by striking “automobile manufac-  
15 turers, ultra efficient vehicle manufactur-  
16 ers,” and inserting “advanced technology  
17 vehicle manufacturers”; and

18 (ii) by striking “30 percent” and in-  
19 serting “50 percent”;

20 (B) in paragraph (1)—

21 (i) in subparagraph (A), by striking  
22 “qualifying advanced technology vehicles;”  
23 and inserting “advanced technology vehi-  
24 cles; or”;

- 1 (ii) in subparagraph (B), by striking  
2 “; or” and inserting “; and”; and  
3 (iii) by striking subparagraph (C);  
4 and  
5 (C) in paragraph (2), by striking “quali-  
6 fying vehicles, ultra efficient vehicles,” and in-  
7 serting “advanced technology vehicles”;  
8 (3) in subsection (e), by striking “2020” and  
9 inserting “2030” each place it appears;  
10 (4) in subsection (g), by inserting “or medium-  
11 duty or heavy-duty vehicles that emit zero green-  
12 house gas emissions” after “ultra efficient vehicles”;  
13 (5) in subsection (h)—  
14 (A) in the header, by striking “AUTO-  
15 MOBILE” and inserting “ADVANCED TECH-  
16 NOLOGY VEHICLE”; and  
17 (B) in paragraph (1)(B), by striking  
18 “automobiles, or components of automobiles”  
19 and inserting “advanced technology vehicles, or  
20 components of advanced technology vehicles”;  
21 and  
22 (6) in subsection (i), by striking “2008 through  
23 2012” and inserting “2021 through 2030”.

○