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(Original Signature of Member)

116TH CONGRESS
1ST 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.

IN THE HOUSE OF REPRESENTATIVES

M. _____ introduced the following bill; which was referred to the
Committee on _____

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.”.

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”.