SENATE No. 1579

The Commonwealth of Massachusetts

PRESENTED BY:

Benjamin B. Downing

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act further promoting electric vehicles.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Benjamin B. Downing	Berkshire, Hampshire, Franklin and
	Hampden
William N. Brownsberger	Second Suffolk and Middlesex
Martha M. Walz	8th Suffolk
Denise Andrews	2nd Franklin
Jonathan Hecht	29th Middlesex
Denise Provost	27th Middlesex
Ruth B. Balser	12th Middlesex
Michael J. Barrett	Third Middlesex
Patricia D. Jehlen	Second Middlesex
Benjamin Swan	11th Hampden
Kay Khan	11th Middlesex
Karen E. Spilka	Second Middlesex and Norfolk
Marc R. Pacheco	First Plymouth and Bristol
Thomas M. Stanley	9th Middlesex

SENATE No. 1579

By Mr. Downing, a petition (accompanied by bill, Senate, No. 1579) of Benjamin B. Downing, William N. Brownsberger, Martha M. Walz, Denise Andrews and other members of the General Court for legislation to further promote electric vehicles. Telecommunications, Utilities and Energy.

The Commonwealth of Alassachusetts

In the Year Two Thousand Thirteen

An Act further promoting electric vehicles.

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Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general law, special law or local ordinance to the contrary, the department of public utilities shall conduct an investigation into the electric system capacity and charging infrastructure needed to accommodate the deployment of vehicles that are propelled, in whole or in part, by battery-stored electric energy supplied from the electric grid. The investigation shall solicit public input and shall include, but not be limited to, an investigation of (a) appropriate electric metering technologies needed to accurately and effectively track the charging of electric vehicles; (b) local and state system reliability planning for the deployment of electric vehicles; (c) the potential for time-of-use rates, off-peak electric rates for electric vehicle use, or other mechanisms to encourage off-peak vehicle charging, (d) the barriers and policies to remove barriers to electric vehicle usage and smart charging and; (e) the impact rate and other utility policies will have on greenhouse gas emissions in the commonwealth. Upon completion of the investigation, the department shall issue an order, no later than June 1, 2014, that (a) sets forth guiding principles to inform the department's decisionmaking for plug-in electric vehicle issues, (b) establishes reporting and analysis requirements for utilities over time, (c) identifies rate-setting mechanisms to encourage plug-in electric vehicle owners to maximize vehicle charging during periods of lower impact on the grid in order to minimize costly investments in distribution infrastructure, (c) develops procedures for accelerated utility review and service upgrades related to electric vehicles, (d) defines regulatory treatment for non-utility, third-party transportation electricity providers, (e) establishes requirements for consumer education for plug-in EV owners concerning vehicle charging costs, residential charging infrastructure installation, and any other challenges that new plug-in EV

owners may face, (f) explores issues concerning the ownership of charging infrastructure including whether utilities and other entities should be allowed to provide this service, appropriate mechanisms for infrastructure cost recovery, competition and market forces, (g) addresses the issues related to the provision of electricity by non-utilities for delivery of PEV charging, and (h) identifies any regulatory changes that it shall require from each electric utility and a reasonable timeframe and method for implementing those changes.

SECTION 2. Notwithstanding any general law, special law or local ordinance to the contrary, the executive office of energy and environmental affairs, in cooperation with the department of public utilities, the department of energy resources and the department of transportation shall issue a report no later than January 1, 2014 that contains recommendations for (a) monitoring safety associated with electric vehicle charging (primarily Level 2 and higher) and follow and adopt best practice standards as defined by organizations such as SAE, National Institute of Standards and Technology (NIST), the American National Standards Institute (ANSI), the International Code Council (ICC), Underwriter Laboratories (UL), the National Electrical Code (NEC), the International Association of Electrical Inspectors (IAEI), the National Electrical Contractors Association (NECA), and the Institute of Electrical and Electronics Engineers (IEEE), (b) the identification and allocation of state funding to increase training for relevant inspectors and regulators related to these new codes and standards, including the identification and adoption of best practices related to training and education, (c) the optimal manner in which to provide safety training and education programs for first responders about the unique characteristics of plug-in electric vehicles; authorize identifying characteristics such as special license plates or markers so that in an emergency first responders can be immediately aware that the vehicle is a plug-in electric and take necessary precautions for safety of themselves as well as any vehicle passengers, and (d) manners in which electric vehicle infrastructure investments can be prioritized to maximize grid reliability and environmental benefits of electric vehicles while minimizing consumer costs.

SECTION 3. Notwithstanding any general law, special law or local ordinance to the contrary, the department of transportation in cooperation with executive office of energy and environmental affairs, the department of public utilities, the department of energy resources, shall study potential tax and fee reforms that ensures enough money is available to fund both road and transit upkeep and improvements, but does so in a manner that furthers state energy and climate goals and does not penalize the early adopters of electric vehicles. The department of transportation shall file a report of its study, along with any recommended legislation, no later than January 1, 2014 with the house and senate chairs of the joint committee on telecommunications, utilities and energy and the joint committee on transportation.

SECTION 4. (a) There shall be an electric vehicle policy commission established to research and review the economic and environmental benefits and costs of increased use of electric vehicles in the commonwealth, and shall make policy recommendations based on its review. The commission shall report to the legislature recommendations on how to: (i) further

expand access to electric vehicle infrastructure in the commonwealth; (ii) encourage the purchase and lease of electric vehicles; (iii) reduce the up-front costs associated with electric vehicle purchases; and (iv) identify strategies for removing barriers to electric vehicle deployment.

- (b)(1) The commission shall consist of 9 members: 1 of whom shall be the secretary of energy and environmental affairs, who shall serve as chair; 1 of whom shall be the secretary of transportation; 1 of whom shall be the commissioner of energy resources; 4 of whom shall be persons who are experts in electric vehicle policy, 1 of whom shall be appointed by the speaker of the house of representatives, 1 of whom shall be appointed by the minority leader of the house of representatives and 1 of whom shall be appointed by the minority leader of the senate; and 2 of whom shall be appointed by the governor, 1 of whom shall be a representative of the environmental community, and 1 of whom shall be a representative of an electric distribution company. A vacancy in the commission shall be filled in the manner in which the original appointment was made.
 - (2) The members of the commission shall receive no compensation for their services.
- (3) The powers of the commission shall include, but not be limited to: (i) using voluntary and uncompensated services of private individuals, agencies and organizations as may be offered or needed; (ii) recommending policies and making recommendations to agencies and officers of the commonwealth and local subdivisions of government to effectuate the changes outlined in subsection (a); (iii) enacting by-laws for the commission's own governance; and (iv) holding regular public meetings, fact-finding hearings and other public forums as the commission considers necessary.
- (4) The commission may request from all state agencies such information and assistance as the commission may require. The commission may also request such information from companies and organizations with state contracts that provide services relative to the scope of the commission.