

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

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 Massachusetts

In the Year Two Thousand Thirteen

An Act further promoting electric vehicles.

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

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

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

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

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

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

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

64 (b)(1) The commission shall consist of 9 members: 1 of whom shall be the secretary of
65 energy and environmental affairs, who shall serve as chair; 1 of whom shall be the secretary of
66 transportation; 1 of whom shall be the commissioner of energy resources; 4 of whom shall be
67 persons who are experts in electric vehicle policy, 1 of whom shall be appointed by the speaker
68 of the house of representatives, 1 of whom shall be appointed by the president of the senate, 1 of
69 whom shall be appointed by the minority leader of the house of representatives and 1 of whom
70 shall be appointed by the minority leader of the senate; and 2 of whom shall be appointed by the
71 governor, 1 of whom shall be a representative of the environmental community, and 1 of whom
72 shall be a representative of an electric distribution company. A vacancy in the commission shall
73 be filled in the manner in which the original appointment was made.

74 (2) The members of the commission shall receive no compensation for their services.

75 (3) The powers of the commission shall include, but not be limited to: (i) using voluntary
76 and uncompensated services of private individuals, agencies and organizations as may be offered
77 or needed; (ii) recommending policies and making recommendations to agencies and officers of
78 the commonwealth and local subdivisions of government to effectuate the changes outlined in
79 subsection (a); (iii) enacting by-laws for the commission's own governance; and (iv) holding
80 regular public meetings, fact-finding hearings and other public forums as the commission
81 considers necessary.

82 (4) The commission may request from all state agencies such information and assistance
83 as the commission may require. The commission may also request such information from
84 companies and organizations with state contracts that provide services relative to the scope of the
85 commission.