

STATE OF NEW YORK

1721

2023-2024 Regular Sessions

IN ASSEMBLY

January 20, 2023

Introduced by M. of A. CUNNINGHAM -- read once and referred to the
Committee on Energy

AN ACT to amend the public service law, in relation to establishing
electric vehicle charging station reliability reporting and standards

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. The public service law is amended by adding a new section
2 66-u to read as follows:

3 § 66-u. Electric vehicle charging station reliability reporting and
4 maintenance standards. 1. For purposes of this section, the following
5 terms have the following meanings:

6 (a) "charging station" means an electrical component assembly or clus-
7 ter of component assemblies designed specifically to charge batteries
8 within electric vehicles by permitting the transfer of electrical energy
9 to a battery or other storage device in an electric vehicle;

10 (b) "excluded time" means the time not included when calculating
11 uptime, as determined pursuant to the determination made by the commis-
12 sion pursuant to subdivision three of this section; and

13 (c) "uptime" means the time a charging station's hardware and software
14 are both operational and the charging station is able to successfully
15 dispense electricity. "Uptime" shall not include excluded time.

16 2. Beginning April first, two thousand twenty-four, an entity that is
17 receiving an incentive funded by a state agency or through a charge on
18 ratepayers to install, own, or operate a charging station, in whole or
19 in part, shall report charging station uptime to the commission. The
20 service provider selected by such entity to provide electricity for such
21 charging stations shall provide this data on behalf of the entity and
22 work with the station manufacturer and the site host through a service
23 level agreement to ensure both software and hardware failures are
24 captured and resolved during the required reporting period. The service
25 provider may also select a designee qualified in the electronics opera-

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 tion, maintenance, and repair of charging stations to provide this data.
2 Entities that receive funding shall provide this information for a mini-
3 mum of five years from the date on which the funding was received,
4 unless the commission determines more time is needed to collect data.

5 3. The commission shall develop a formula to calculate uptime to
6 provide consistent, standardized reporting of overall charging station
7 uptime. The commission shall determine what events that render a
8 station inoperable constitute excluded time for purposes of developing
9 the formula. The commission shall determine who should be accountable
10 for resolution of damages under excluded events, including vandalism and
11 extreme weather events. Excluded events shall be reported to the commis-
12 sion separately.

13 4. Beginning October first, two thousand twenty-four, the commission
14 shall assess the uptime of public- and ratepayer-funded charging station
15 infrastructure, including whether there are differences in charging
16 station uptime by population density, geographical area, or population
17 income level. The commission shall update the assessments performed
18 pursuant to this subdivision every two years. The commission shall
19 protect confidential business information of the reporting persons and
20 entities, including but not limited to, anonymizing and aggregating the
21 uptime data, to ensure no individual uptime data is identifiable in its
22 assessments and reports.

23 5. On or before January first, two thousand twenty-five, the commis-
24 sion shall develop minimum industry operational standards for the long
25 term maintenance, preservation, reliability, and uptime requirements of
26 publicly funded electric vehicle charging equipment. An entity receiving
27 public funding shall operate charging stations in compliance with the
28 standards developed by the commission.

29 6. On or before April first, two thousand twenty-five, the commission
30 shall develop tools or incentives to improve charging station reliabil-
31 ity.

32 § 2. This act shall take effect immediately.