

# STATE OF NEW YORK

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5052--A

2023-2024 Regular Sessions

## IN ASSEMBLY

February 27, 2023

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Introduced by M. of A. WOERNER, McDONALD, GUNTHER, STIRPE, HUNTER, THIELE, GLICK, STERN, JACOBSON, MAGNARELLI, BENDETT, K. BROWN, CUNNINGHAM, FAHY -- Multi-Sponsored by -- M. of A. SIMON -- read once and referred to the Committee on Corporations, Authorities and Commissions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to conducting a highway and depot charging needs evaluation

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

1 Section 1. Legislative findings. In order to achieve targets set forth  
2 by the climate leadership and community protection act, zero-emissions  
3 vehicle sales target and regulations, including the advanced clean truck  
4 and advanced clean cars II rules, zero-emissions school bus mandate, and  
5 other relevant goals, the interests of the people of the state would be  
6 served by:

7 1. Coordinating efforts to plan for electric vehicle fast-charging  
8 deployment on New York's highways;

9 2. Identifying priority sites for the deployment of fast chargers  
10 along New York's highways, estimating future charging demand at these  
11 sites for all vehicle classes, and identifying necessary electric grid  
12 transmission and distribution infrastructure and interconnection  
13 upgrades at these sites;

14 3. Expediting electric grid transmission and distribution infrastruc-  
15 ture at sites controlled by the New York state thruway authority, suffi-  
16 cient to future-proof thruway sites for accelerated fast charger deploy-  
17 ment to serve light duty, medium duty and heavy duty vehicles; and

18 4. Identifying additional high priority areas for the deployment of  
19 charging for medium and heavy duty vehicles, such as school buses, tran-  
20 sit buses, and other light, medium and heavy duty commercial fleet

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

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1 depots, and removing barriers to charging deployment, including electric  
2 infrastructure constraints.

3 § 2. The public authorities law is amended by adding a new section  
4 1885 to read as follows:

5 § 1885. Highway and depot charging needs evaluation. 1. Within nine  
6 months of the effective date of this section, and every three years  
7 thereafter, the authority, in consultation with the department of trans-  
8 portation, the department of motor vehicles, the New York state thruway  
9 authority, the New York power authority, the Long Island power authori-  
10 ty, the department of environmental conservation, and the electric  
11 distribution and local transmission utilities, shall conduct a needs  
12 evaluation to:

13 (a) consider planning by the department of transportation for fast  
14 charger deployment along alternative fuel corridors;

15 (b) identify the number and location of fast chargers along priority  
16 highway corridors, including fast chargers currently in operation and in  
17 development;

18 (c) estimate future need for fast charger deployment along priority  
19 highway corridors for the purposes of (i) facilitating the cost-effec-  
20 tive and timely achievement of mandates under (1) article seventy-five  
21 of the environmental conservation law, (2) section 19-0306-b of the  
22 environmental conservation law regarding zero-emissions vehicle sales  
23 targets, (3) rules and regulations for zero-emissions vehicles adopted  
24 by the commissioner of environmental conservation, and (4) other rele-  
25 vant and applicable federal and state rules or regulations or local  
26 goals to reduce transportation sector emissions; and (ii) supporting  
27 electric vehicle adoption by consumers and fleet operators;

28 (d) identify the number and location of highway charging hubs, includ-  
29 ing but not limited to thruway charging hubs, currently in operation and  
30 in development along priority highway corridors;

31 (e) estimate total charging capacity required to serve light duty,  
32 medium duty, and heavy duty electric vehicles at each highway charging  
33 hub through at least the year two thousand fifty;

34 (f) identify, to the extent practicable, the number and location of  
35 commercial and public fleet vehicles in operation, including their body  
36 type, fuel type, model year, zip code, and other relevant information  
37 needed to forecast the number and location of zero-emissions vehicles,  
38 per state policy;

39 (g) identify the number and location of fleet charging zones;

40 (h) estimate future need for charging deployment and charging capacity  
41 in the fleet charging zones, sufficient to satisfy the targets and regu-  
42 lations identified in paragraph (c) of this subdivision;

43 (i) examine ways to optimize fast charger deployment among the highway  
44 charging hubs and charging development among the fleet charging zones to  
45 reduce the cost of electric distribution and local transmission upgrades  
46 while serving projected vehicle traffic volumes;

47 (j) analyze and asses the total potential costs associated with any  
48 identified need; and

49 (k) analyze and assess federal or state funding opportunities to mini-  
50 mize such costs to rate payers.

51 2. The authority shall develop a stakeholder engagement process to  
52 raise consumer awareness and education across the state and solicit  
53 feedback from the public, representatives or residents of environmental  
54 justice or disadvantaged communities, electric vehicle manufacturers,  
55 electric vehicle supply equipment manufacturers, fleet operators, and  
56 others on the highway and depot charging needs evaluation. To the

1 extent practicable and consistent with applicable timelines, the author-  
2 ity may coordinate the highway and depot charging needs evaluation  
3 stakeholder input process with the process set forth in section eighteen  
4 hundred eighty-four of this article.

5 3. The needs evaluation shall be made publicly available on the  
6 authority's website.

7 4. When conducting the needs evaluation, the following locations shall  
8 be considered for designation as highway charging hubs:

9 (a) All thruway charging hubs.

10 (b) Additional sites or geographic areas based on (i) eligibility for  
11 federal, state, or other funding opportunities, including but not limit-  
12 ed to needs identified through the NEVI formula program planning proc-  
13 ess, (ii) proximity to electric transmission infrastructure, (iii)  
14 projected vehicle traffic, (iv) charging network coverage, (v) inter-  
15 state and intrastate commerce, (vi) benefits to environmental justice  
16 and disadvantaged communities, (vii) benefits of increased charging  
17 accessibility in host communities, (viii) real property ownership or  
18 control of potential sites, (ix) relevant commitments from site and/or  
19 charging operators, and (x) other factors deemed relevant for the devel-  
20 opment and successful implementation of the highway charging needs eval-  
21 uation.

22 (c) Locations within one mile of the priority highway corridors,  
23 spaced no more than fifty miles apart along the priority highway corri-  
24 dors and reasonably accessible regardless of direction of travel.

25 (d) Privately operated sites which are open to the public or multiple  
26 commercial entities as eligible for designation as a highway charging  
27 hub, subject to reasonable restrictions.

28 (e) A single highway charging hub comprised of multiple charging  
29 service areas within a reasonable distance from one another.

30 5. When conducting the needs evaluation, the following geographic area  
31 criteria shall be considered when determining designations as fleet  
32 charging zones:

33 (a) total number of commercial and public fleet vehicles in operation  
34 and/or total number of fleet operators in the geographic area,

35 (b) projected vehicle traffic in the geographic area,

36 (c) benefits to public fleets, such as school bus operators,

37 (d) benefits to environmental justice and disadvantaged communities,

38 (e) relevant commitments from fleet and/or site operators to install  
39 charging equipment,

40 (f) available capacity on the electric distribution and local trans-  
41 mission network to serve vehicle chargers, and

42 (g) ensuring equitable coverage and access to fleet charging through-  
43 out the state.

44 6. As used in this section, the following terms shall have the follow-  
45 ing meanings:

46 (a) "Alternative fuel corridors" shall mean highways designated within  
47 the state pursuant to the national electric vehicle infrastructure  
48 formula program under 23 U.S.C. 151 and previously designated under the  
49 federal Fixing America's Surface Transportation Act of 2015.

50 (b) "Charging needs evaluation" shall mean the highway and depot  
51 charging needs evaluation.

52 (c) "Fast charger" shall mean a direct current electric vehicle charg-  
53 ing port which can charge at a level of at least one hundred fifty kilo-  
54 watts.

1 (d) "Fleet charging zone" shall mean a priority geographic area for  
2 the deployment of charging infrastructure for public and commercial  
3 fleet operators or owners, including school bus fleets.

4 (e) "Highway and depot charging needs evaluation" shall mean the needs  
5 evaluation developed pursuant to subdivision two of this section.

6 (f) "Highway charging hub" shall mean a priority site for the deploy-  
7 ment of large scale, fast charging infrastructure, which has minimum  
8 station power capability at or above six hundred kilowatts and supports  
9 at least one hundred fifty kilowatts per port simultaneously across four  
10 ports for charging. These sites shall include but are not limited to  
11 thruway charging hubs.

12 (g) "NEVI" shall mean the national electric vehicle infrastructure  
13 program established under the federal Infrastructure Investment and Jobs  
14 Act of 2021.

15 (h) "Priority highway corridor" shall mean alternative fuel corridors  
16 and other state and county highways identified in the charging needs  
17 evaluation as appropriate to ensure sufficient and equitable charging  
18 access throughout the state.

19 (i) "Thruway charging hubs" shall mean all highway service areas  
20 controlled, leased, owned, or operated by the New York state thruway  
21 authority.

22 § 3. This act shall take effect immediately.