

STATE OF NEW YORK

5052--B

2023-2024 Regular Sessions

IN ASSEMBLY

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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 -- reported and referred to the Committee on Ways and Means -- 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 and interconnection upgrades at sites controlled by the New York
16 state thruway authority, sufficient to future-proof thruway sites for
17 accelerated fast charger deployment to serve light duty, medium duty and
18 heavy duty vehicles; and
- 19 4. Identifying additional high priority areas for the deployment of
20 charging for medium and heavy duty vehicles, such as school buses, tran-
21 sit buses, and other light, medium and heavy duty commercial fleet
22 depots, including taxi and ride-share vehicle fleets, and removing

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

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

3 5. Identifying additional priority areas for deployment of charging
4 infrastructure designed to support building of charging in densely popu-
5 lated urban areas where access to charging is currently or may be limit-
6 ed.

7 § 2. The public authorities law is amended by adding a new section
8 1885 to read as follows:

9 § 1885. Highway and depot charging needs evaluation. 1. Within nine
10 months of the effective date of this section, and every three years
11 thereafter, the authority, in consultation with the department of trans-
12 portation, the department of motor vehicles, the New York state thruway
13 authority, the New York power authority, the Long Island power authori-
14 ty, the department of environmental conservation, the electric distrib-
15 ution and local transmission utilities, the New York Association for
16 Pupil Transportation, and freight logistics experts shall conduct a
17 needs evaluation to:

18 (a) consider planning by the department of transportation for fast
19 charger deployment along alternative fuel corridors and major freight
20 corridors;

21 (b) identify the number and location of fast chargers along priority
22 highway corridors and major freight corridors, including fast chargers
23 currently in operation and in development;

24 (c) estimate future need for fast charger deployment along priority
25 highway and major freight corridors for the purposes of (i) facilitating
26 the cost-effective and timely achievement of mandates under (1) article
27 seventy-five of the environmental conservation law, (2) section
28 19-0306-b of the environmental conservation law regarding zero-emissions
29 vehicle sales targets, (3) rules and regulations for zero-emissions
30 vehicles adopted by the commissioner of environmental conservation, and
31 (4) other relevant and applicable federal and state rules or regulations
32 or local goals to reduce transportation sector emissions; and (ii)
33 supporting electric vehicle adoption by consumers and fleet operators;

34 (d) identify the number and location of highway charging hubs, includ-
35 ing but not limited to thruway charging hubs and freight charging hubs,
36 currently in operation and in development along priority highway and
37 major freight corridors;

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

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

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

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

50 (i) examine ways to optimize fast charger deployment among the highway
51 charging hubs, the freight charging hubs, and all such charging hubs,
52 and charging development among the fleet charging zones to reduce the
53 cost of interconnection, if deemed necessary, and electric distribution
54 and local transmission upgrades while serving projected vehicle traffic
55 volumes;

(j) analyze and assess the total potential costs associated with any identified need;

(k) analyze and assess federal or state funding opportunities to minimize such costs to rate payers; and

(l) identify the number and location of critical public charging sites and estimate future need for charging deployment and charging capacity for critical public charging sites.

2. The authority shall develop a stakeholder engagement process to raise consumer awareness and education across the state and solicit feedback from the public, representatives or residents of environmental justice or disadvantaged communities, electric vehicle manufacturers, electric vehicle supply equipment manufacturers, fleet operators, school district transportation directors and others on the highway and depot charging needs evaluation. To the extent practicable and consistent with applicable timelines, the authority may coordinate the highway and depot charging needs evaluation stakeholder input process with the process set forth in section eighteen hundred eighty-four of this article.

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

4. When conducting the needs evaluation, the following locations shall be considered for designation as highway and/or freight charging hubs:

(a) All thruway charging hubs.

(b) Additional sites or geographic areas based on (i) eligibility for federal, state, or other funding opportunities, including but not limited to needs identified through the NEVI formula program planning process, (ii) proximity to electric transmission infrastructure, (iii) projected vehicle traffic, (iv) charging network coverage, (v) interstate and intrastate commerce, (vi) benefits to environmental justice and disadvantaged communities, (vii) benefits of increased charging accessibility in host communities, (viii) real property ownership or control of potential sites, (ix) relevant commitments from site and/or charging operators, and (x) other factors deemed relevant for the development and successful implementation of the highway charging needs evaluation.

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

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

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

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

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

(b) projected vehicle traffic in the geographic area,

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

(d) benefits to environmental justice and disadvantaged communities,

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

(f) available capacity on the electric distribution and local transmission network to serve vehicle chargers,

(g) ensuring equitable coverage and access to fleet charging throughout the state, and

(h) sites where private or public fleet vehicles are regularly parked, maintained, or otherwise dispatched for service, including school bus garages.

6. As used in this section, the following terms shall have the following meanings:

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

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

(c) "Critical public charging site" shall mean a priority site for the deployment of charging infrastructure designed to support buildout of charging in densely populated urban areas where access to charging may be limited.

(d) "Fast charger" shall mean a direct current electric vehicle charging port which can charge at a level of at least one hundred fifty kilowatts.

(e) "Fleet charging zone" shall mean a priority geographic area for the deployment of charging infrastructure for public and commercial fleet operators or owners, including school bus fleets, taxi and ride-share vehicle fleets.

(f) "Freight charging hub" shall mean a priority site for the deployment of large scale, fast charging infrastructure, which has minimum station power capability at or above six hundred kilowatts and supports at least one hundred fifty kilowatts per port simultaneously across four ports for charging. These sites may include highway charging hubs.

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

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

(i) "Major freight corridor" shall mean segments of the freight transportation network identified by the federal highway administration that carry more than fifty million tons per year, including highway segments that carry at least eight thousand five hundred trucks per day, additional highway segments and parallel rail lines that together carry at least eight thousand five hundred truck, trailer-on-flatcar, and container-on-flatcar payloads of typically high-value, time sensitive cargo, and rail lines and waterways that carry fifty million tons in bulk cargo per year.

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

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

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

§ 3. This act shall take effect immediately.