

# STATE OF NEW YORK

10688

## IN ASSEMBLY

September 9, 2022

Introduced by COMMITTEE ON RULES -- (at request of 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 Assembly, 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-three, 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-  
26 tion, maintenance, and repair of charging stations to provide this data.  
27 Entities that receive funding shall provide this information for a mini-

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

LBD15829-03-2

1 mum of five years from the date on which the funding was received,  
2 unless the commission determines more time is needed to collect data.

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

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

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

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

30 § 2. This act shall take effect immediately.