

# STATE OF NEW YORK

8910

## IN ASSEMBLY

January 26, 2024

Introduced by M. of A. WOERNER, McDONALD, GUNTHER, STIRPE, HUNTER, THIELE, GLICK, STERN, JACOBSON, MAGNARELLI, BENDETT, K. BROWN, CUNNINGHAM, FAHY, DURSO, GANDOLFO, OTIS, COLTON, L. ROSENTHAL, SIMONE, NOVAKHOV, SIMPSON -- Multi-Sponsored by -- M. of A. SIMON -- read once and referred to the Committee on Corporations, Authorities and Commissions

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  
23 barriers to charging deployment, including electric infrastructure  
24 constraints.

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

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

5 § 2. The public authorities law is amended by adding a new section  
6 1885 to read as follows:

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

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

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

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

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

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

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

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

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

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

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

1 (k) analyze and assess federal or state funding opportunities to mini-  
2 mize such costs to rate payers; and

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

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

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

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

21 (a) All thruway charging hubs.

22 (b) Additional sites or geographic areas based on (i) eligibility for  
23 federal, state, or other funding opportunities, including but not limit-  
24 ed to needs identified through the NEVI formula program planning proc-  
25 ess, (ii) proximity to electric transmission infrastructure, (iii)  
26 projected vehicle traffic, (iv) charging network coverage, (v) inter-  
27 state and intrastate commerce, (vi) benefits to environmental justice  
28 and disadvantaged communities, (vii) benefits of increased charging  
29 accessibility in host communities, (viii) real property ownership or  
30 control of potential sites, (ix) relevant commitments from site and/or  
31 charging operators, and (x) other factors deemed relevant for the devel-  
32 opment and successful implementation of the highway charging needs eval-  
33 uation.

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

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

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

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

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

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

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

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

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

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

54 (g) ensuring equitable coverage and access to fleet charging through-  
55 out 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.