STATE OF NEW YORK

5120

2023-2024 Regular Sessions

IN SENATE

February 23, 2023

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

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:

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

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

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

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

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

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

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

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provider may also select a designee qualified in the electronics operation, maintenance, and repair of charging stations to provide this data. Entities that receive funding shall provide this information for a minimum of five years from the date on which the funding was received, unless the commission determines more time is needed to collect data.

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

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

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

6. On or before April first, two thousand twenty-five, the commission shall develop tools or incentives to improve charging station reliability.

§ 2. This act shall take effect immediately.