## 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:

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:
б	(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-four, 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

EXPLANATION--Matter in <u>italics</u> (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 opera-1 tion, maintenance, and repair of charging stations to provide this data. 2 Entities that receive funding shall provide this information for a mini-3 4 mum of five years from the date on which the funding was received, 5 unless the commission determines more time is needed to collect data. 6 3. The commission shall develop a formula to calculate uptime to 7 provide consistent, standardized reporting of overall charging station uptime. The commission shall determine what events that render a 8 9 station inoperable constitute excluded time for purposes of developing the formula. The commission shall determine who should be accountable 10 11 for resolution of damages under excluded events, including vandalism and 12 extreme weather events. Excluded events shall be reported to the commission separately. 13 4. Beginning October first, two thousand twenty-four, the commission 14 15 shall assess the uptime of public- and ratepayer-funded charging station infrastructure, including whether there are differences in charging 16 17 station uptime by population density, geographical area, or population income level. The commission shall update the assessments performed 18 pursuant to this subdivision every two years. The commission shall 19 20 protect confidential business information of the reporting persons and 21 entities, including but not limited to, anonymizing and aggregating the 22 uptime data, to ensure no individual uptime data is identifiable in its 23 assessments and reports. 5. On or before January first, two thousand twenty-five, the commis-24 sion shall develop minimum industry operational standards for the long 25 term maintenance, preservation, reliability, and uptime requirements of 26 27 publicly funded electric vehicle charging equipment. An entity receiving public funding shall operate charging stations in compliance with the 28 standards developed by the commission. 29 30 6. On or before April first, two thousand twenty-five, the commission 31 shall develop tools or incentives to improve charging station reliabil-32 <u>ity.</u>

33 § 2. This act shall take effect immediately.