

STATE OF NEW YORK

5120--B

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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-w to read as follows:

3 § 66-w. Electric vehicle charging station reliability, recordkeeping,
4 and reporting standards. 1. For purposes of this section "uptime" means
5 an electric vehicle charger's hardware and software necessary to initi-
6 ate a charging station are both operational and the electric vehicle
7 charger successfully dispenses electricity.

8 2. The commission shall through a stakeholder process develop reli-
9 ability, recordkeeping and reporting standards for electric vehicle
10 charging stations by January first, two thousand twenty-five, provided
11 such standards shall:

12 (a) only be applicable to publicly-available electric vehicle charging
13 stations that received an incentive funded by (i) the state, or (ii)
14 through a charge on ratepayers;

15 (b) apply to such electric vehicle charging stations for a minimum of
16 five years; and

17 (c) apply to publicly-available electric vehicle charging stations
18 installed on or after January first, two thousand twenty-five.

19 3. The commission shall through a stakeholder process create a formula
20 to calculate uptime and determine what events that make an electric

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

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1 vehicle charger inoperable constitute excluded time for purposes of
2 developing the formula.

3 4. The commission shall at a minimum consider events that are outside
4 of an electric vehicle charger operator's control for purposes of making
5 such determination which, includes issues related to the electrical
6 grid, force majeure, third party damage, power outage, supply chain
7 disruptions, internet and cellular connectivity, and vandalism and other
8 items outside the reasonable control of the operator of the charging
9 station, as determined through a process for public input. Uptime
10 requirements shall be measured on a per site basis to ensure consistency
11 among technology type and power levels.

12 5. Beginning January first, two thousand twenty-six and every two
13 years thereafter, the commission shall assess the uptime of the electric
14 vehicle charging station infrastructure, including at minimum, an
15 assessment of equitable access to reliable charging stations in low,
16 moderate, and high-income communities. Any data published or maintained
17 for any public facing purpose by the commission shall be aggregated,
18 anonymized, and not company specific.

19 6. On or before April first, two thousand twenty-five, the commission
20 shall develop tools or incentives to improve charging station reliabil-
21 ity.

22 7. Notwithstanding any law, rule or regulation to the contrary, the
23 commission shall include these reporting and reliability requirements as
24 a condition of receiving state incentives for electric vehicle charging
25 stations.

26 § 2. This act shall take effect immediately.