

116TH CONGRESS
1ST SESSION

H. R. 5530

To direct the Secretary of Energy to establish a rebate program to promote the purchase and installation of publicly accessible electric vehicle supply equipment, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 19, 2019

Mr. TONKO introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To direct the Secretary of Energy to establish a rebate program to promote the purchase and installation of publicly accessible electric vehicle supply equipment, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Electric Vehicle Infra-
5 structure Rebate Act of 2019”.

1 **SEC. 2. ELECTRIC VEHICLE SUPPLY EQUIPMENT REBATE**
2 **PROGRAM.**

3 (a) REBATE PROGRAM.—Not later than January 1,
4 2021, the Secretary of Energy shall establish a rebate pro-
5 gram to promote the purchase and installation of publicly
6 accessible electric vehicle supply equipment (in this Act
7 referred to as the “rebate program”).

8 (b) REBATE PROGRAM REQUIREMENTS.—

9 (1) ELIGIBLE APPLICANTS.—A rebate under
10 the rebate program may be made to a individual,
11 State, local, Tribal, or Territorial government, a pri-
12 vate entity, or a metropolitan planning organization.

13 (2) ELIGIBLE EQUIPMENT.—

14 (A) IN GENERAL.—Not later than 180
15 days after the date of the enactment of this
16 Act, the Secretary shall publish and maintain
17 on the Department of Energy internet website
18 a list of electric vehicle supply equipment that
19 is eligible for the rebate program.

20 (B) UPDATE.—The Secretary may publish
21 a notice of proposed rulemaking to determine
22 additional hardware or software equipment re-
23 quirements that will likely lead to greater usage
24 of the electric vehicle supply equipment or im-
25 prove the experience of users of such charging
26 equipment.

1 (C) LOCATION REQUIREMENT.—To be eli-
2 gible for the rebate program, the equipment de-
3 scribed under paragraph (1) shall be installed—

4 (i) in the United States;

5 (ii) on property—

6 (I) owned by the eligible appli-
7 cant under subsection (b)(1); or

8 (II) on which the eligible appli-
9 cant under subsection (b)(1) has au-
10 thority to install electric vehicle sup-
11 ply equipment; and

12 (iii) at a parking lot or facility having
13 a minimum of 10 parking spaces and is—

14 (I) open to the public for a min-
15 imum of 12 hours per day, five days
16 per week;

17 (II) associated with a multi-unit
18 housing structure with five or more
19 housing units; and

20 (III) associated with a workplace
21 available to an employee of the work-
22 place or an employee of a nearby
23 workplace.

24 (3) APPLICATION.—

1 (A) IN GENERAL.—An eligible applicant
2 under subsection (b)(1) may submit to the Sec-
3 retary an application for a rebate under the re-
4 bate program. Such application shall include—

5 (i) the estimated cost of covered ex-
6 penses to be expended on the installation
7 of the equipment eligible under subsection
8 (b)(2);

9 (ii) the estimated installation cost of
10 the equipment eligible under subsection
11 (b)(2);

12 (iii) the global positioning system
13 (GPS) location of the equipment eligible
14 under subsection (b)(2) and identification
15 of whether such location is a—

16 (I) multi-unit housing structure;

17 (II) workplace; or

18 (III) publicly accessible parking

19 lot or facility;

20 (iv) the technical specifications of the
21 equipment eligible under subsection (b)(2),
22 including the maximum power and amper-
23 age of such equipment, to be installed; and

1 (v) any other information determined
2 by the Secretary to be necessary for a com-
3 plete application.

4 (B) REVIEW PROCESS.—The Secretary
5 shall review an application for a rebate under
6 the rebate program and approve an eligible ap-
7 plicant under subsection (b)(1) to receive such
8 rebate if—

9 (i) the application meets the require-
10 ments of the rebate program under sub-
11 section (b); and

12 (ii) the Secretary expects amounts ap-
13 propriated to be available for such rebate.

14 (C) NOTIFICATION TO ELIGIBLE APPLI-
15 CANT.—Not later than one year after the date
16 on which the eligible applicant under subsection
17 (b)(3) applies for a rebate under the rebate pro-
18 gram, the Secretary shall notify the eligible ap-
19 plicant under subsection (b)(1) that they will be
20 awarded a rebate under the rebate program fol-
21 lowing the submission of additional materials
22 required under paragraph (5).

23 (4) REBATE AMOUNT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the amount awarded under the rebate program shall be the lesser of—

- (i) 75 percent of covered expenses;
- (ii) \$2,000 for non-networked level 2 charging equipment;
- (iii) \$4,000 for networked level 2 charging equipment; or
- (iv) \$75,000 for networked direct current fast charging equipment.

(B) REBATE AMOUNT FOR REPLACEMENT EQUIPMENT.—The amount awarded under the rebate program for replacement electric vehicle supply equipment shall be the lesser of—

- (i) 75 percent of covered expenses;
- (ii) \$1,000 for non-networked level 2 charging equipment;
- (iii) \$2,000 for networked level 2 charging equipment; or
- (iv) \$25,000 for networked direct current fast charging equipment.

(5) DISBURSEMENT OF REBATE.—

(A) IN GENERAL.—The Secretary shall disburse a rebate under the rebate program to an eligible applicant under subsection (b)(1),

1 following approval of an initial application
2 under paragraph (3), if such applicant submits
3 the materials required under subparagraph (B).

4 (B) MATERIALS REQUIRED FOR DISBURSE-
5 MENT OF REBATE.—Not later than one year
6 after the date on which the eligible applicant
7 under subsection (b)(1) receives notice that
8 they have been approved for a rebate under the
9 rebate program, such applicant shall submit to
10 the Secretary the following—

11 (i) the cost of covered expenses ex-
12 pended on the installation of the equip-
13 ment eligible under subsection (b)(2);

14 (ii) the installation cost of the equip-
15 ment eligible under subsection (b)(2);

16 (iii) a record of payment for the
17 equipment eligible under subsection (b)(2);

18 (iv) the global positioning system
19 (GPS) location of the equipment eligible
20 under subsection (b)(2) and identification
21 of whether such location is a—

22 (I) multi-unit housing structure;

23 (II) workplace; or

24 (III) publicly accessible parking

25 lot or facility;

1 (v) the technical specifications of the
2 equipment eligible under subsection (b)(2),
3 including the maximum power and amper-
4 age of such equipment; and

5 (vi) any other information determined
6 by the Secretary to be necessary for a com-
7 plete application.

8 (C) AGREEMENT TO MAINTAIN.—To be eli-
9 gible for a rebate under the rebate program, an
10 eligible applicant under subsection (b)(1) shall
11 enter into an agreement with the Secretary to
12 maintain the eligible equipment in a satisfac-
13 tory manner for not less than five years after
14 the date on which the eligible applicant under
15 subsection (b)(1) receives the rebate under the
16 rebate program.

17 (D) AGREEMENT TO REPORT ON USAGE.—
18 To be eligible for a rebate under the rebate pro-
19 gram, an eligible applicant under subsection
20 (b)(1) shall enter into an agreement with the
21 Secretary to submit, not later than one year
22 after the date the applicant is awarded a rebate
23 and annually thereafter for the following two
24 years, a report on the aggregated data on usage

1 of relevant networked electric vehicle supply
2 equipment.

3 (E) EXCEPTION.—The Secretary shall not
4 disburse a rebate under the rebate program if
5 materials submitted under paragraph (5) do not
6 meet the same GPS location and technical spec-
7 ifications for the equipment eligible under sub-
8 section (b)(2) provided in an application under
9 paragraph (3).

10 (6) EXCEPTIONS TO REBATE PROGRAM.—

11 (A) MULTI-PORT CHARGERS.—An eligible
12 applicant under subsection (b)(1) shall be
13 awarded a rebate under the rebate program for
14 a multi-port charger based on the number of
15 publicly accessible charging ports, with each
16 subsequent port after the first port, being eligi-
17 ble for 50 percent of the full rebate amount.

18 (B) NETWORKED DIRECT CURRENT FAST
19 CHARGING.—Of amounts appropriated to carry
20 out the rebate program under this section, not
21 more than 25 percent may be used for rebates
22 of networked direct current fast charging equip-
23 ment.

24 (7) HYDROGEN FUEL CELL REFUELING INFRA-
25 STRUCTURE.—For the purposes of this section, hy-

1 drogen refueling equipment shall be eligible for a re-
2 bate as though it were a networked direct current
3 fast charging equipment. All requirements related to
4 public accessibility of installed locations shall apply.

5 (c) DEFINITIONS.—In this Act:

6 (1) COVERED EXPENSES.—The term “covered
7 expenses” means an expense that is associated with
8 the purchase and installation of electric vehicle sup-
9 ply equipment, including—

10 (A) the cost of electric vehicle supply
11 equipment hardware;

12 (B) labor costs associated with the installa-
13 tion of such hardware, only if wages for such
14 labor are paid at rates not less than those pre-
15 vailing on similar labor in the locality of instal-
16 lation, as determined by the Secretary of Labor
17 under subchapter IV of chapter 31 of title 40,
18 United States Code (commonly referred to as
19 the “Davis-Bacon Act”);

20 (C) material costs associated with the in-
21 stallation of such hardware, including expenses
22 involving electrical equipment and necessary up-
23 grades or modifications to the electrical grid
24 and associated infrastructure required for the
25 installation of such hardware;

1 (D) permit costs associated with the instal-
2 lation of such hardware; and

3 (E) the cost of an on-site energy storage
4 system.

5 (2) ELECTRIC VEHICLE.—The term “electric
6 vehicle” means a vehicle that derives all or part of
7 its power from electricity.

8 (3) MULTI-PORT CHARGER.—The term “multi-
9 port charger” means electric vehicle supply equip-
10 ment capable of charging more than one electric ve-
11 hicle simultaneously.

12 (4) ELECTRIC VEHICLE SUPPLY EQUIPMENT.—
13 The term “electric vehicle supply equipment” means
14 a charger connected to the electric grid that supplies
15 electricity to an electric vehicle.

16 (5) LEVEL 2 CHARGING EQUIPMENT.—The
17 term “level 2 charging equipment” means electric
18 vehicle supply equipment that provides an alter-
19 nating current power source at a minimum of 240-
20 volts.

21 (6) NETWORKED DIRECT CURRENT FAST
22 CHARGING EQUIPMENT.—The term “networked di-
23 rect current fast charging equipment” means electric
24 vehicle supply equipment that provides a direct cur-
25 rent power source at a minimum of 50 kilowatts and

1 is enabled to connect to a network to facilitate data
2 collection and access.

3 (7) NETWORKED ELECTRIC VEHICLE CHARGING
4 STATION.—The term “networked electric vehicle
5 charging station” means a charging station that is
6 enabled to connect to a network to facilitate data
7 collection and access.

8 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
9 authorized to be appropriated to carry out this Act
10 \$100,000,000 for each of fiscal years 2021 through 2025.

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