

117TH CONGRESS
1ST SESSION

S. 507

To increase deployment of electric vehicle charging infrastructure in low-income communities and communities of color, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 1, 2021

Ms. CORTEZ MASTO introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To increase deployment of electric vehicle charging infrastructure in low-income communities and communities of color, 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 Vehicles for
5 Underserved Communities Act of 2021”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **ELECTRIC VEHICLE.**—The term “electric
9 vehicle” means—

(A) a Zero-Emission Vehicle (as defined in section 88.102–94 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act)); and

(B) a vehicle that, under any possible operational mode or condition, produces zero exhaust emissions of—

(i) any criteria pollutant for which there are national ambient air quality standards under section 109 of the Clean Air Act (42 U.S.C. 7409);

(ii) any precursor pollutant; or

(iii) any greenhouse gas.

(2) ELECTRIC VEHICLE CHARGING INFRASTRUCTURE.—

(A) IN GENERAL.—The term “electric vehicle charging infrastructure” means any property (not including a building and its structural components) if that property is—

(i) made available for use by members of the general public; and

(ii) used to charge or fuel electric vehicles, but only if the property is located at the point where the vehicles are charged or fueled.

(B) INCLUSION OF UTILITY SERVICE CONNECTIONS.—The term “electric vehicle charging infrastructure” includes any utility service connections, utility panel upgrades, or contributions in aid of construction (within the meaning of section 118 of the Internal Revenue Code of 1986) that are required for the charging or fueling of electric vehicles.

(3) GREENHOUSE GAS.—The term “greenhouse gas” means any of the following:

(A) Carbon dioxide.

(B) Methane.

(C) Nitrous oxide.

(D) Hydrofluorocarbons.

(E) Perfluorocarbons.

(F) Sulfur hexafluoride.

(4) PUBLICLY ACCESSIBLE.—

(A) IN GENERAL.—The term “publicly accessible” means—

(i) with respect to electric vehicle charging infrastructure, that the electric vehicle charging infrastructure is available, at zero or reasonable cost, to members of the public for the purpose of charging a

1 privately owned or leased electric vehicle;

2 and

3 (ii) with respect to an electric vehicle,
4 that the electric vehicle is available for use
5 by members of the general public as part
6 of a ride service or vehicle sharing service
7 or program.

8 (B) INCLUSIONS.—The term “publicly ac-
9 cessible” includes electric vehicle charging infra-
10 structure and electric vehicles described in
11 clauses (i) and (ii), respectively, of subpara-
12 graph (A) that are located within or around—

13 (i) public sidewalks and streets;

14 (ii) public parks;

15 (iii) public buildings, including—

16 (I) libraries;

17 (II) schools; and

18 (III) government offices;

19 (iv) public parking;

20 (v) shopping centers; and

21 (vi) commuter transit hubs.

22 (5) RELEVANT PROGRAM.—The term “relevant
23 program” means a program of the Department of
24 Energy, including—

1 (A) the State energy program established
2 under part D of title III the Energy Policy and
3 Conservation Act (42 U.S.C. 6321 et seq.);

4 (B) the Clean Cities program;

5 (C) the Energy Efficiency and Conserva-
6 tion Block Grant Program established under
7 section 542(a) of the Energy Independence and
8 Security Act of 2007 (42 U.S.C. 17152(a));

9 (D) a loan guarantee made under title
10 XVII of the Energy Policy Act of 2005 (42
11 U.S.C. 16511 et seq.); and

12 (E) any other program of the Department
13 of Energy, as the Secretary determines to be
14 appropriate.

15 (6) SECRETARY.—The term “Secretary” means
16 the Secretary of Energy.

17 (7) UNDERSERVED OR DISADVANTAGED COM-
18 MUNITY.—The term “underserved or disadvantaged
19 community” means a community located within a
20 ZIP Code or census tract that is identified as—

21 (A) a low-income community;

22 (B) a community of color;

23 (C) a Tribal community;

(D) having a disproportionately low number of electric vehicle charging stations per capita, compared to similar areas; or

(E) any other community that the Secretary determines is disproportionately vulnerable to, or bears a disproportionate burden of, any combination of economic, social, environmental, and climate stressors.

SEC. 3. EXPANDING ACCESS TO ELECTRIC VEHICLES IN UNDERSERVED OR DISADVANTAGED COMMUNITIES.

(a) ASSESSMENT.—

(1) IN GENERAL.—The Secretary shall conduct an assessment of the state of, challenges to, and opportunities for, deployment of electric vehicle charging infrastructure in underserved or disadvantaged communities in urban, suburban, and rural communities throughout the United States.

(2) REQUIREMENT.—In carrying out the assessment under paragraph (1), the Secretary, to the maximum extent practicable, shall work with each State to enumerate and identify, with detail at the level of ZIP Codes and census tracts, in urban, suburban, and rural areas within each State—

1 (A) the number of existing and planned
 2 publicly accessible level 2 charging stations and
 3 direct current fast charging stations for individ-
 4 ually owned light-duty and medium-duty electric
 5 vehicles;

6 (B) the number of existing and planned
 7 level 2 charging stations and direct current fast
 8 charging stations for public sector and commer-
 9 cial—

10 (i) fleet electric vehicles; and

11 (ii) medium- and heavy-duty electric
 12 vehicles; and

13 (C) the number and type of electric vehicle
 14 charging stations installed in or around, or
 15 available to occupants of—

16 (i) public housing; or

17 (ii) affordable housing.

18 (b) REPORT.—Not later than 1 year after the date
 19 of enactment of this Act, the Secretary shall submit to
 20 the Committee on Energy and Natural Resources of the
 21 Senate and the Committee on Energy and Commerce of
 22 the House of Representatives a report on the results of
 23 the assessment conducted under subsection (a), which
 24 shall—

(1) describe the state of deployment of electric vehicle charging infrastructure in underserved or disadvantaged communities in urban, suburban, and rural areas in the United States, including—

(A) the state of deployment of electric vehicle charging infrastructure that is—

(i) publicly accessible;

(ii) installed in or around, or available to occupants of—

(I) public housing; or

(II) affordable housing;

(iii) installed in or around, or available to occupants of, multi-unit dwellings;

(iv) available to public sector and commercial fleets; or

(v) installed in, or available at, places of work;

(B) the policies, plans, and programs that States, cities, utilities, and private entities are using to encourage greater deployment and use of electric vehicles and any associated electric vehicle charging infrastructure, including programs to encourage deployment of publicly accessible electric vehicle charging infrastructure

1 that is available to residents of publicly or pri-
 2 vately owned multi-unit dwellings;

3 (C) ownership models for level 2 charging
 4 stations and direct current fast charging sta-
 5 tions located in or around—

6 (i) residential multi-unit dwellings;

7 (ii) commercial buildings; and

8 (iii) publicly accessible areas;

9 (D) mechanisms for financing electric vehi-
 10 cle charging infrastructure; and

11 (E) the rates charged for the use of level
 12 2 charging stations and direct current fast
 13 charging stations;

14 (2) identify current barriers to expanding the
 15 deployment of electric vehicle charging infrastruc-
 16 ture in underserved or disadvantaged communities in
 17 urban, suburban, and rural areas, including barriers
 18 to expanding the deployment of publicly accessible
 19 electric vehicle charging infrastructure;

20 (3) identify the potential for, and barriers to,
 21 recruiting and entering into contracts with locally
 22 owned small and disadvantaged businesses, including
 23 women- and minority-owned businesses, to deploy
 24 electric vehicle charging infrastructure in under-

1 served or disadvantaged communities in urban, sub-
2 urban, and rural areas;

3 (4) compile and provide an analysis of best
4 practices and policies used by State and local gov-
5 ernments, nonprofit organizations, and private enti-
6 ties to increase deployment of electric vehicle charg-
7 ing infrastructure in underserved or disadvantaged
8 communities in urban, suburban, and rural areas,
9 including best practices and policies relating to—

10 (A) public outreach and engagement;

11 (B) increasing deployment of publicly ac-
12 cessible electric vehicle charging infrastructure;
13 and

14 (C) increasing deployment of electric vehi-
15 cle charging infrastructure in or around pub-
16 licly or privately owned multi-unit dwellings;

17 (5) to the maximum extent practicable, enu-
18 merate and identify, with detail at the level of ZIP
19 Codes and census tracts, in urban, suburban, and
20 rural areas within each State—

21 (A) the number of existing and planned
22 publicly accessible level 2 charging stations and
23 direct current fast charging stations for individ-
24 ually owned light-duty and medium-duty electric
25 vehicles;

1 (B) the number of existing and planned
2 level 2 charging stations and direct current fast
3 charging stations for public sector and commer-
4 cial—

5 (i) fleet electric vehicles; and

6 (ii) medium- and heavy-duty electric
7 vehicles; and

8 (C) the number and type of electric vehicle
9 charging stations installed in or around, or
10 available to occupants of—

11 (i) public housing; or

12 (ii) affordable housing; and

13 (6) describe the methodology used to obtain the
14 information provided in the report.

15 (c) UPDATED ASSESSMENT.—Not later than 5 years
16 after the date of enactment of this Act, the Secretary
17 shall—

18 (1) update the assessment conducted under
19 subsection (a); and

20 (2) submit to the Committee on Energy and
21 Natural Resources of the Senate and the Committee
22 on Energy and Commerce of the House of Rep-
23 resentatives and make publicly available a report
24 that—

1 (A) updates the information reported
2 under subsection (b); and

3 (B) includes a description of case studies
4 and key lessons learned after the date on which
5 the report under subsection (b) was submitted
6 with respect to expanding the deployment of
7 electric vehicle charging infrastructure in un-
8 derserved or disadvantaged communities in
9 urban, suburban, and rural areas.

10 **SEC. 4. ELECTRIC VEHICLE CHARGING EQUITY PROGRAM.**

11 (a) PROGRAM.—Not later than 90 days after the date
12 of enactment of this Act, the Secretary shall establish a
13 program, to be known as the “EV Charging Equity Pro-
14 gram”, to increase the deployment and accessibility of
15 electric vehicle charging infrastructure in underserved or
16 disadvantaged communities by—

17 (1) providing technical assistance to eligible in-
18 dividuals and entities described in subsection (b);
19 and

20 (2) awarding grants, on a competitive basis, to
21 eligible individuals and entities described in sub-
22 section (b) for projects that increase the deployment
23 and accessibility of electric vehicle charging infra-
24 structure, including electric vehicle charging infra-
25 structure that is—

1 (A) publicly accessible;

2 (B) located within or around, or is easily
3 accessible to residents of—

4 (i) public or affordable housing;

5 (ii) multi-unit dwellings; or

6 (iii) single-family homes; or

7 (C) located within or around, or is easily
8 accessible to, places of work, subject to the con-
9 dition that the electric vehicle charging infra-
10 structure is publicly accessible not less than 5
11 days per week.

12 (b) ELIGIBLE INDIVIDUALS AND ENTITIES.—

13 (1) IN GENERAL.—Subject to paragraph (2), an
14 eligible individual or entity referred to in subsection

15 (a) is—

16 (A) an individual or household that owns
17 any property on which a project will be carried
18 out;

19 (B) a State, local, Tribal, or territorial
20 government;

21 (C) an agency or department of a State,
22 local, Tribal, or territorial government;

23 (D) an electric utility, including—

24 (i) a municipally owned electric utility;

25 (ii) a publicly owned electric utility;

- 1 (iii) an investor-owned utility; and
- 2 (iv) a rural electric cooperative;
- 3 (E) a nonprofit organization or institution;
- 4 (F) a public housing authority;
- 5 (G) an institution of higher education (as
- 6 defined in section 101 of the Higher Education
- 7 Act of 1965 (20 U.S.C. 1001));
- 8 (H) a local small or disadvantaged busi-
- 9 ness; or
- 10 (I) a partnership between 2 or more indi-
- 11 viduals or entities described in subparagraphs
- 12 (A) through (H).

13 (2) UPDATES.—In carrying out the EV Charg-

14 ing Equity Program, the Secretary may establish a

15 list of eligible individuals and entities that includes

16 individuals or entities not described in paragraph (1)

17 or excludes individuals or entities described in that

18 paragraph if the Secretary determines that including

19 or excluding the individual or entity would be bene-

20 ficial to increasing the deployment and accessibility

21 of electric vehicle charging infrastructure in under-

22 served or disadvantaged communities.

23 (c) COST SHARE.—

24 (1) IN GENERAL.—Except as provided in para-

25 graph (2), the amount of a grant awarded under

1 this section for a project shall not exceed 80 percent
2 of the costs of the project.

3 (2) SINGLE-FAMILY HOMES.—The amount of a
4 grant awarded under this section for a project that
5 involves, as a primary focus, single-family homes
6 shall not exceed 60 percent of the costs of the
7 project.

8 (d) LIMITATION.—Not more than 15 percent of the
9 total amount of grants awarded under this section each
10 fiscal year may be awarded for projects that involve, as
11 a primary focus, single-family homes.

12 (e) PRIORITY.—In awarding grants and providing
13 technical assistance under this section, the Secretary shall
14 give priority to projects that—

15 (1) provide the greatest benefit to the greatest
16 number of people within an underserved or dis-
17 advantaged community;

18 (2) incorporate renewable energy resources;

19 (3) maximize local job creation, particularly
20 among low-income, women, and minority workers; or

21 (4) utilize or involve locally owned small and
22 disadvantaged businesses, including women- and mi-
23 nority-owned businesses.

24 (f) PUBLIC NOTICE AND REQUEST FOR APPLICA-
25 TIONS.—The Secretary shall publish in the Federal Reg-

1 ister and such other publications as the Secretary con-
 2 siders to be appropriate a notice and request for applica-
 3 tions to carry out projects under the EV Charging Equity
 4 Program.

5 (g) EDUCATION AND OUTREACH.—

6 (1) IN GENERAL.—In carrying out the EV
 7 Charging Equity Program, the Secretary shall estab-
 8 lish an education and outreach campaign to ensure
 9 that information regarding the program and the
 10 benefits of, and opportunities for, electric vehicle
 11 charging infrastructure is made available to individ-
 12 uals and relevant entities that live within or serve
 13 underserved or disadvantaged communities.

14 (2) REQUIREMENTS.—At a minimum, the edu-
 15 cation and outreach campaign established under this
 16 subsection shall include—

17 (A) the development and dissemination of
 18 an electric vehicle charging resource guide that
 19 is—

20 (i) maintained electronically on a
 21 website;

22 (ii) available to the public, free of
 23 charge; and

24 (iii) directed specifically toward indi-
 25 viduals and relevant entities that live with-

1 in or serve underserved or disadvantaged
2 communities;

3 (B) targeted outreach toward, and coordi-
4 nated public outreach with, relevant State,
5 local, and Tribal entities, nonprofit organiza-
6 tions, and institutions of higher education (as
7 defined in section 101 of the Higher Education
8 Act of 1965 (20 U.S.C. 1001)) that are located
9 within or serve underserved or disadvantaged
10 communities; and

11 (C) any other forms of education or out-
12 reach that the Secretary determines to be ap-
13 propriate to increase awareness of, and access
14 to, the EV Charging Equity Program.

15 (h) REPORTS TO CONGRESS.—Not later than 1 year
16 after the date on which the EV Charging Equity Program
17 is established under this section, and not less frequently
18 than once every 2 years thereafter, the Secretary shall
19 submit to the Committee on Energy and Natural Re-
20 sources of the Senate and the Committee on Energy and
21 Commerce of the House of Representatives and make pub-
22 licly available a report on the status of the EV Charging
23 Equity Program, including—

1 (1) a list and description of projects for which
 2 a grant or technical assistance has been provided
 3 under this section; and

4 (2) a description of the amount of funding or
 5 assistance provided with respect to each of those
 6 projects.

7 (i) AUTHORIZATION OF APPROPRIATIONS.—There is
 8 authorized to be appropriated to carry out this section
 9 \$96,000,000 for each of fiscal years 2021 through 2030.

10 **SEC. 5. ENSURING PROGRAM BENEFITS FOR UNDER-**
 11 **SERVED AND DISADVANTAGED COMMU-**
 12 **NITIES.**

13 In administering a relevant program, the Secretary,
 14 to the maximum extent practicable, shall invest or direct
 15 available and relevant programmatic resources to ensure
 16 that each relevant program—

17 (1) promotes electric vehicle charging infra-
 18 structure;

19 (2) supports clean and multi-modal transpor-
 20 tation;

21 (3) provides improved air quality and emissions
 22 reductions; and

23 (4) prioritizes the needs of underserved or dis-
 24 advantaged communities.

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