



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-0254/1
EVM&KP:amn

2021 SENATE BILL 663

November 2, 2021 - Introduced by Senators COWLES and BALLWEG, cosponsored by Representatives VANDERMEER, ARMSTRONG, MILROY, OLDENBURG and SPIROS. Referred to Committee on Transportation and Local Government.

- 1 **AN ACT** *to amend* 20.855 (4) (h); and *to create* 16.047 (4p) of the statutes;
2 **relating to:** a charging facility grant program and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill requires the Public Service Commission to establish an electric vehicle charging facility grant program. Under the program, PSC, in consultation with the Department of Transportation, must designate one or more clean energy corridors consisting of contiguous state trunk highways that connect Wisconsin to Minnesota, Michigan, Iowa, and Illinois. Also under the program, PSC must award grants to 1) businesses, electric utilities, and electric cooperatives for installing publicly accessible electric vehicle charging facilities along the corridor and 2) business not along the corridor and multiunit dwellings for installing electric vehicle charging facilities that are not necessarily accessible by the public. The funding source for the grants is settlement moneys that the state received from a legal action against Volkswagen. The bill allows PSC to award up to \$10,000,000 in total grants under the program. At least \$5,000,000 must be awarded to applicants under item 1) and at least \$3,000,000 must be awarded to applicants under item 2). No grants may be awarded after June 30, 2027.

Individual grants for applicants under item 1) may not exceed 75 percent, and for applicants under item 2) may not exceed 50 percent, of the cost to purchase, install, and maintain an electric vehicle charging facility. The bill specifies that a person that is awarded a grant and installs an electric vehicle charging facility may charge a parking fee to any person who uses the facility. The parking fee may be a flat fee or be based on the amount of time a user is parked near or connected to the station or on the amount of electricity used.

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Also under the bill, PSC must prepare two reports. For the first, PSC must describe the locations of the charging facilities installed under the charging facility grant program and of any gaps of greater than 50 miles in charging facility coverage along clean energy corridors. This report must be provided to the legislature and DOT. For the second, PSC must provide potential methods of ensuring an equitable contribution by electric vehicle drivers, as compared to other drivers of passenger vehicles, to the funding of highways and local transportation aids. In preparing this report, PSC must consult with DOT, public utilities, and other stakeholders. PSC must provide this report to the legislature.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 16.047 (4p) of the statutes is created to read:

2 16.047 (4p) CHARGING FACILITY GRANT PROGRAM. (a) In this subsection:

3 1. “Charging facility” means electric vehicle charging equipment, including
4 Level 1, Level 2, and fast charging equipment and analogous successor technologies.

5 2. “Commission” means the public service commission.

6 3. “Electric provider” has the meaning given in s. 16.957 (1) (f).

7 4. “Eligible applicant” means a business, an electric provider that has entered
8 into an agreement under par. (b), or the owner of a multiunit dwelling.

9 (b) An electric provider may apply for a grant under par. (e) 1. a. if it provides
10 with its application an agreement in writing with a business that has a place of
11 business located along a clean energy corridor designated under par. (d). The
12 agreement shall provide that the business will host a charging facility owned by the
13 electric provider for which the electric provider will provide maintenance and be
14 liable for all costs related to the facility.

15 (c) The commission shall establish and administer a charging facility grant
16 program.

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1 (d) The commission, in consultation with the department of transportation,
2 shall designate one or more clean energy corridors consisting of contiguous state
3 trunk highways connecting this state to Minnesota, Michigan, Iowa, and Illinois. In
4 designating these corridors, the commission shall attempt to do all of the following:

5 1. Connect with any similar corridors existing in the states of Minnesota,
6 Michigan, Iowa, and Illinois.

7 2. Continue segments of highway that are designated as electric vehicle
8 corridor-ready by the federal highway administration.

9 3. Designate heavily traveled highways.

10 (e) 1. The commission shall award grants of settlement funds from the
11 appropriation under s. 20.855 (4) (h) to eligible applicants for any of the following:

12 a. The installation of publicly accessible charging facilities at places of business
13 located along a clean energy corridor designated under par. (d).

14 b. The installation of charging facilities at places of business other than those
15 covered under subd. 1. a. or at multiunit dwellings. Charging facilities under this
16 subd. 1. b. need not be publicly accessible.

17 2. The commission, in consultation with the department, may establish criteria
18 for awarding grants under this paragraph. The commission shall provide an
19 opportunity for public comment before the criteria is implemented for any criteria
20 proposed for establishment by the commission under this subdivision.

21 3. Notwithstanding subd. 2., the commission shall do all of the following in
22 awarding grants under this paragraph:

23 a. Give highest priority to projects that minimize gaps of greater than 50 miles
24 in charging facility coverage along clean energy corridors designated under par. (d).

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1 b. If applications for grants under this paragraph exceed the funding available,
2 provide secondary priority to awarding grants to as many separate eligible
3 applicants as possible.

4 4. a. A grant under subd. 1. a. may not exceed 75 percent of the cost to purchase,
5 install, and maintain a charging facility.

6 b. A grant under subd. 1. b. may not exceed 50 percent of the cost to purchase,
7 install, and maintain a charging facility.

8 5. The commission may award multiple grants under this paragraph to a single
9 eligible applicant.

10 6. The awarding of grants under this paragraph does not confer any ownership
11 interest to the commission or the state in charging facilities that are installed under
12 the grants. An eligible applicant that is awarded a grant is responsible for the
13 operation and maintenance of a charging facility installed under the grant.

14 7. The commission may not award more than a total of \$10,000,000 in grants
15 under this paragraph. Not less than \$5,000,000 of the total amount shall be awarded
16 under subd. 1. a. and not less than \$3,000,000 of the total amount shall be awarded
17 under subd. 1. b.

18 (f) A person who is awarded a grant under this subsection and installs a
19 charging facility may charge a parking fee to any person who uses the facility if one
20 of the following applies:

21 1. The person is an electric provider and the fee is a flat fee, is based on the
22 amount of time a user parks near or is connected to the facility, or is based on the
23 amount of electricity the user consumes.

24 2. All of the following apply:

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1 a. The fee is a flat fee, is based on the amount of time a user parks near or is
2 connected to the facility, or is based on the amount of electricity the user consumes.

3 b. All of the electricity that a user receives by connecting to the person's
4 charging facility is obtained from the electric provider serving the area in which the
5 charging facility is located.

6 c. The person does not otherwise directly or indirectly provide electricity to the
7 public for a fee.

8 (g) Not later than 6 months after the commission has awarded grants under
9 par. (e), the commission shall prepare a report describing the locations of the
10 charging facilities installed under the charging facility grant program and of any gap
11 of greater than 50 miles in charging facility coverage along clean energy corridors
12 designated under par. (d) and providing any other pertinent details regarding the
13 program. The commission shall submit the report to the appropriate standing
14 committees of the legislature under s. 13.172 (3) having jurisdiction over matters
15 relating to energy and transportation and to the department of transportation.

16 (h) No grant may be awarded under this section after June 30, 2027.

17 **SECTION 2.** 20.855 (4) (h) of the statutes is amended to read:

18 20.855 (4) (h) *Volkswagen settlement funds.* All moneys received from the
19 trustee of the settlement funds, as defined in s. 16.047 (1) (a), for the replacement of
20 vehicles in the state fleet under s. 16.047 (2) and for the grants under s. 16.047 (4m),
21 (4p), and (4s). No moneys may be expended from this appropriation after June 30,
22 2027.

23 **SECTION 3. Nonstatutory provisions.**

24 (1) REPORT ON CONTRIBUTIONS BY DRIVERS OF ELECTRIC PASSENGER MOTOR VEHICLES.

25 Not later than the first day of the 25th month beginning after the effective date of

SENATE BILL 663**SECTION 3**

1 this subsection, the public service commission shall prepare a report describing
2 potential methods of ensuring an equitable contribution by drivers of electric
3 passenger motor vehicles, as compared to drivers of other passenger motor vehicles,
4 to the costs of constructing and maintaining state highways and providing local
5 transportation aids. The report shall consider the past growth of electric motor
6 vehicle registrations and the projected growth over the next decade. The report shall
7 consider the potential of utility revenue assessments of electric vehicle charging
8 facilities to replace revenues from motor vehicle fuel taxes. The commission shall
9 consult with the department of transportation; public utilities; proprietors of, or
10 organizations representing proprietors of, gas stations, restaurants, and retail
11 stores; and other stakeholders in preparing the report. The commission shall submit
12 the report to the appropriate standing committees of the legislature under s. 13.172
13 (3) having jurisdiction over matters relating to energy and transportation.

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(END)