

Calendar No. 577

111TH CONGRESS
2^D SESSION**S. 3815**

To amend the Internal Revenue Code of 1986 to reduce oil consumption and improve energy security, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 21, 2010

Mr. REID (for himself, Mr. HATCH, and Mr. MENENDEZ) introduced the following bill; which was read the first time

SEPTEMBER 22, 2010

Read the second time and placed on the calendar

A BILL

To amend the Internal Revenue Code of 1986 to reduce oil consumption and improve energy security, 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 “Promoting Natural
5 Gas and Electric Vehicles Act of 2010”.

1 **TITLE I—NATURAL GAS VEHICLE**
2 **AND INFRASTRUCTURE DE-**
3 **VELOPMENT**

4 **SEC. 1001. DEFINITIONS.**

5 In this title:

6 (1) DEPARTMENT.—The term “Department”
7 means the Department of Energy.

8 (2) INCREMENTAL COST.—The term “incre-
9 mental cost” means the difference between—

10 (A) the suggested retail price of a manu-
11 facturer for a qualified alternative fuel vehicle;
12 and

13 (B) the suggested retail price of a manu-
14 facturer for a vehicle that is—

15 (i) powered solely by a gasoline or die-
16 sel internal combustion engine; and

17 (ii) comparable in weight, size, and
18 use to the vehicle.

19 (3) MIXED-FUEL VEHICLE.—The term “mixed-
20 fuel vehicle” means a mixed-fuel vehicle (as defined
21 in section 30B(e)(5)(B) of the Internal Revenue
22 Code of 1986) (including vehicles with a gross vehi-
23 cle weight rating of 14,000 pounds or less) that uses
24 a fuel mix that is comprised of at least 75 percent
25 compressed natural gas or liquefied natural gas.

1 (4) NATURAL GAS REFUELING PROPERTY.—

2 The term “natural gas refueling property” means
3 units that dispense at least 85 percent by volume of
4 natural gas, compressed natural gas, or liquefied
5 natural gas as a transportation fuel.

6 (5) QUALIFIED ALTERNATIVE FUEL VEHI-

7 CLE.—The term “qualified alternative fuel vehicle”
8 means a vehicle manufactured for use in the United
9 States that is—

10 (A) a new compressed natural gas- or liq-
11 uefied natural gas-fueled vehicle that is only ca-
12 pable of operating on natural gas;

13 (B) a vehicle that is capable of operating
14 for more than 175 miles on 1 fueling of com-
15 pressed or liquefied natural gas and is capable
16 of operating on gasoline or diesel fuel, including
17 vehicles with a gross vehicle weight rating of
18 14,000 pounds or less.

19 (6) QUALIFIED MANUFACTURER.—The term
20 “qualified manufacturer” means a manufacturer of
21 qualified alternative fuel vehicles or any component
22 designed specifically for use in a qualified alternative
23 fuel vehicle.

24 (7) QUALIFIED OWNER.—The term “qualified
25 owner” means an individual that purchases a quali-

1 fied alternative fuel vehicle for use or lease in the
2 United States but not for resale.

3 (8) QUALIFIED REFUELER.—The term “quali-
4 fied refueler” means the owner or operator of nat-
5 ural gas refueling property.

6 (9) SECRETARY.—The term “Secretary” means
7 the Secretary of Energy.

8 **SEC. 1002. PROGRAM ESTABLISHMENT.**

9 (a) IN GENERAL.—There is established within the
10 Department a Natural Gas Vehicle and Infrastructure De-
11 velopment Program for the purpose of facilitating the use
12 of natural gas in the United States as an alternative
13 transportation fuel, in order to achieve the maximum fea-
14 sible reduction in domestic oil use.

15 (b) CONVERSION OR REPOWERING OF VEHICLES.—
16 The Secretary shall establish a rebate program under this
17 title for qualified owners who convert or repower a conven-
18 tionally fueled vehicle to operate on compressed natural
19 gas or liquefied natural gas, or to a mixed-fuel vehicle or
20 a bi-fuel vehicle.

21 **SEC. 1003. REBATES.**

22 (a) INTERIM FINAL RULE.—

23 (1) IN GENERAL.—Not later than 60 days after
24 the date of enactment of this Act, the Secretary
25 shall promulgate an interim final rule establishing

1 regulations that the Secretary considers necessary to
2 administer the rebates required under this section.

3 (2) ADMINISTRATION.—The interim final rule
4 shall establish a program that provides—

5 (A) rebates to qualified owners for the pur-
6 chase of qualified alternative fuel vehicles; and

7 (B) priority to those vehicles that the Sec-
8 retary determines are most likely to achieve the
9 shortest payback time on investment and the
10 greatest market penetration for natural gas ve-
11 hicles.

12 (3) ALLOCATION.—Of the amount allocated for
13 rebates under this section, not more than 25 percent
14 shall be used to provide rebates to qualified owners
15 for the purchase of qualified alternative fuel vehicles
16 that have a gross vehicle rating of not more than
17 8,500 pounds.

18 (b) REBATES.—

19 (1) IN GENERAL.—Subject to paragraph (2),
20 the Secretary shall provide rebates for 90 percent of
21 the incremental cost of a qualified alternative fuel
22 vehicle to a qualified owner for the purchase of a
23 qualified alternative fuel vehicles.

24 (2) MAXIMUM VALUES.—

1 (A) NATURAL GAS VEHICLES.—The max-
2 imum value of a rebate under this section pro-
3 vided to a qualified owner who places a quali-
4 fied alternative fuel vehicle into service by 2013
5 shall be—

6 (i) \$8,000 for each qualified alter-
7 native fuel vehicle with a gross vehicle
8 weight rating of not more than 8,500
9 pounds;

10 (ii) \$16,000 for each qualified alter-
11 native fuel vehicle with a gross vehicle
12 weight rating of more than 8,500 but not
13 more than 14,000 pounds;

14 (iii) \$40,000 for each qualified alter-
15 native fuel vehicle with a gross vehicle
16 weight rating of more than 14,000 but not
17 more than 26,000 pounds; and

18 (iv) \$64,000 for each qualified alter-
19 native fuel vehicle with a gross vehicle
20 weight rating of more than 26,000 pounds.

21 (B) MIXED-FUEL VEHICLES.—The max-
22 imum value of a rebate under this section pro-
23 vided to a qualified owner who places a quali-
24 fied alternative fuel vehicle that is a mixed-fuel
25 vehicle into service by 2015 shall be 75 percent

1 of the amount provided for rebates under this
2 section for vehicles that are only capable of op-
3 erating on natural gas.

4 (C) BI-FUEL VEHICLES.—The maximum
5 value of a rebate under this section provided to
6 a qualified owner of a vehicle described in sec-
7 tion 2001(5)(B) shall be 50 percent of the
8 amount provided for rebates under this section
9 for vehicles that are only capable of operating
10 on natural gas.

11 (c) TREATMENT OF REBATES.—For purposes of the
12 Internal Revenue Code of 1986, rebates received for quali-
13 fied alternative fuel vehicles under this section—

14 (1) shall not be considered taxable income to a
15 qualified owner;

16 (2) shall prohibit the qualified owner from ap-
17 plying for any tax credit allowed under that Code for
18 the same qualified alternative fuel vehicle; and

19 (3) shall be considered a credit described in
20 paragraph (2) for purposes of any limitation on the
21 amount of the credit.

22 (d) FUNDING.—

23 (1) IN GENERAL.—On October 1, 2010, out of
24 any funds in the Treasury not otherwise appro-
25 priated, the Secretary of the Treasury shall transfer

1 to the Secretary to carry out this section
2 \$3,800,000,000, to remain available until expended.

3 (2) RECEIPT AND ACCEPTANCE.—The Sec-
4 retary shall be entitled to receive, shall accept, and
5 shall use to carry out this section the funds trans-
6 ferred under paragraph (1), without further appro-
7 priation.

8 **SEC. 1004. INFRASTRUCTURE AND DEVELOPMENT GRANTS.**

9 (a) INTERIM FINAL RULE.—Not later than 60 days
10 after the date of enactment of this Act, the Secretary shall
11 promulgate an interim final rule establishing an infra-
12 structure deployment program and a manufacturing devel-
13 opment program, and any implementing regulations that
14 the Secretary considers necessary, to achieve the max-
15 imum practicable cost-effective program to provide grants
16 under this section.

17 (b) GRANTS.—The Secretary shall provide—

18 (1) grants of up to \$50,000 per unit to quali-
19 fied refuelers for the installation of natural gas re-
20 fueling property placed in service between 2011 and
21 2015; and

22 (2) grants in amounts determined to be appro-
23 priate by the Secretary to qualified manufacturers
24 for research, development, and demonstration

1 projects on engines with reduced emissions, im-
2 proved performance, and lower cost.

3 (c) COST SHARING.—Grants under this section shall
4 be subject to the cost-sharing requirements of section 988
5 of the Energy Policy Act of 2005 (42 U.S.C. 16352).

6 (d) MONITORING.—The Secretary shall—

7 (1) require regular reporting of such informa-
8 tion as the Secretary considers necessary to effec-
9 tively administer the program from grant recipients
10 under this section; and

11 (2) conduct on-site and off-site monitoring to
12 ensure compliance with grant terms.

13 (e) FUNDING.—

14 (1) IN GENERAL.—On October 1, 2010, out of
15 any funds in the Treasury not otherwise appro-
16 priated, the Secretary of the Treasury shall transfer
17 to the Secretary to carry out this section
18 \$500,000,000, to remain available until expended.

19 (2) RECEIPT AND ACCEPTANCE.—The Sec-
20 retary shall be entitled to receive, shall accept, and
21 shall use to carry out this section the funds trans-
22 ferred under paragraph (1), without further appro-
23 priation.

1 **SEC. 1005. LOAN PROGRAM TO ENHANCE DOMESTIC MANU-**
2 **FACTURING.**

3 (a) INTERIM FINAL RULE.—Not later than 60 days
4 after the date of enactment of this Act, the Secretary shall
5 promulgate an interim final rule establishing a direct loan
6 program to provide loans to qualified manufacturers to
7 pay not more than 80 percent of the cost of reequipping,
8 expanding, or establishing a facility in the United States
9 that will be used for the purpose of producing any new
10 qualified alternative fuel motor vehicle or any eligible com-
11 ponent.

12 (b) OVERALL COMMITMENT LIMIT.—Commitments
13 for direct loans under this section shall not exceed
14 \$2,000,000,000 in total loan principal.

15 (c) COST OF DIRECT LOANS.—The cost of direct
16 loans under this section (including the cost of modifying
17 the loans) shall be determined in accordance with section
18 502 of the Federal Credit Reform Act of 1990 (2 U.S.C.
19 661a).

20 (d) ADDITIONAL FINANCIAL AND TECHNICAL PER-
21 SONNEL.—Section 621(d) of the Department of Energy
22 Organization Act (42 U.S.C. 7231(d)) is amended by
23 striking “two hundred” and inserting “250”.

24 (e) FUNDING.—

25 (1) IN GENERAL.—Notwithstanding any other
26 provision of law, on October 1, 2010, out of any

1 funds in the Treasury not otherwise appropriated,
2 the Secretary of the Treasury shall transfer to the
3 Secretary for the cost of loans to carry out this sec-
4 tion \$200,000,000, to remain available until ex-
5 pended.

6 (2) RECEIPT AND ACCEPTANCE.—The Sec-
7 retary shall be entitled to receive, shall accept, and
8 shall use to carry out this section the funds trans-
9 ferred under paragraph (1), without further appro-
10 priation.

11 **TITLE II—PROMOTING**
12 **ELECTRIC VEHICLES**

13 **SEC. 2001. DEFINITIONS.**

14 In this title:

15 (1) AGENCY.—The term “agency” has the
16 meaning given the term “Executive agency” in sec-
17 tion 105 of title 5, United States Code.

18 (2) CHARGING INFRASTRUCTURE.—The term
19 “charging infrastructure” means any property (not
20 including a building) if the property is used for the
21 recharging of plug-in electric drive vehicles, includ-
22 ing electrical panel upgrades, wiring, conduit,
23 trenching, pedestals, and related equipment.

1 (3) COMMITTEE.—The term “Committee”
2 means the Plug-in Electric Drive Vehicle Technical
3 Advisory Committee established by section 2034.

4 (4) DEPLOYMENT COMMUNITY.—The term “de-
5 ployment community” means a community selected
6 by the Secretary to be part of the targeted plug-in
7 electric drive vehicles deployment communities pro-
8 gram under section 2016.

9 (5) ELECTRIC UTILITY.—The term “electric
10 utility” has the meaning given the term in section
11 3 of the Public Utility Regulatory Policies Act of
12 1978 (16 U.S.C. 2602).

13 (6) FEDERAL-AID SYSTEM OF HIGHWAYS.—The
14 term “Federal-aid system of highways” means a
15 highway system described in section 103 of title 23,
16 United States Code.

17 (7) PLUG-IN ELECTRIC DRIVE VEHICLE.—

18 (A) IN GENERAL.—The term “plug-in elec-
19 tric drive vehicle” has the meaning given the
20 term in section 131(a)(5) of the Energy Inde-
21 pendence and Security Act of 2007 (42 U.S.C.
22 17011(a)(5)).

23 (B) INCLUSIONS.—The term “plug-in elec-
24 tric drive vehicle” includes—

1 (i) low speed plug-in electric drive ve-
 2 hicles that meet the Federal Motor Vehicle
 3 Safety Standards described in section
 4 571.500 of title 49, Code of Federal Regu-
 5 lations (or successor regulations); and

6 (ii) any other electric drive motor ve-
 7 hicle that can be recharged from an exter-
 8 nal source of motive power and that is au-
 9 thorized to travel on the Federal-aid sys-
 10 tem of highways.

11 (8) PRIZE.—The term “Prize” means the Ad-
 12 vanced Batteries for Tomorrow Prize established by
 13 section 2022.

14 (9) SECRETARY.—The term “Secretary” means
 15 the Secretary of Energy.

16 (10) TASK FORCE.—The term “Task Force”
 17 means the Plug-in Electric Drive Vehicle Inter-
 18 agency Task Force established by section 2035.

19 **Subtitle A—National Plug-in Elec-**
 20 **tric Drive Vehicle Deployment**
 21 **Program.**

22 **SEC. 2011. NATIONAL PLUG-IN ELECTRIC DRIVE VEHICLE**
 23 **DEPLOYMENT PROGRAM.**

24 (a) IN GENERAL.—There is established within the
 25 Department of Energy a national plug-in electric drive ve-

1 hicle deployment program for the purpose of assisting in
2 the deployment of plug-in electric drive vehicles.

3 (b) GOALS.—The goals of the national program de-
4 scribed in subsection (a) include—

5 (1) the reduction and displacement of petro-
6 leum use by accelerating the deployment of plug-in
7 electric drive vehicles in the United States;

8 (2) the reduction of greenhouse gas emissions
9 by accelerating the deployment of plug-in electric
10 drive vehicles in the United States;

11 (3) the facilitation of the rapid deployment of
12 plug-in electric drive vehicles;

13 (4) the achievement of significant market pene-
14 trations by plug-in electric drive vehicles nationally;

15 (5) the establishment of models for the rapid
16 deployment of plug-in electric drive vehicles nation-
17 ally, including models for the deployment of residen-
18 tial, private, and publicly available charging infra-
19 structure;

20 (6) the increase of consumer knowledge and ac-
21 ceptance of plug-in electric drive vehicles;

22 (7) the encouragement of the innovation and in-
23 vestment necessary to achieve mass market deploy-
24 ment of plug-in electric drive vehicles;

1 (8) the facilitation of the integration of plug-in
2 electric drive vehicles into electricity distribution sys-
3 tems and the larger electric grid while maintaining
4 grid system performance and reliability;

5 (9) the provision of technical assistance to com-
6 munities across the United States to prepare for
7 plug-in electric drive vehicles; and

8 (10) the support of workforce training across
9 the United States relating to plug-in electric drive
10 vehicles.

11 (c) DUTIES.—In carrying out this subtitle, the Sec-
12 retary shall—

13 (1) provide technical assistance to State, local,
14 and tribal governments that want to create deploy-
15 ment programs for plug-in electric drive vehicles in
16 the communities over which the governments have
17 jurisdiction;

18 (2) perform national assessments of the poten-
19 tial deployment of plug-in electric drive vehicles
20 under section 2012;

21 (3) synthesize and disseminate data from the
22 deployment of plug-in electric drive vehicles;

23 (4) develop best practices for the successful de-
24 ployment of plug-in electric drive vehicles;

1 (5) carry out workforce training under section
2 2014;

3 (6) establish the targeted plug-in electric drive
4 vehicle deployment communities program under sec-
5 tion 2016; and

6 (7) in conjunction with the Task Force, make
7 recommendations to Congress and the President on
8 methods to reduce the barriers to plug-in electric
9 drive vehicle deployment.

10 (d) REPORT.—Not later than 18 months after the
11 date of enactment of this Act and biennially thereafter,
12 the Secretary shall submit to the appropriate committees
13 of Congress a report on the progress made in imple-
14 menting the national program described in subsection (a)
15 that includes—

16 (1) a description of the progress made by—

17 (A) the technical assistance program under
18 section 2013; and

19 (B) the workforce training program under
20 section 2014; and

21 (2) any updated recommendations of the Sec-
22 retary for changes in Federal programs to promote
23 the purposes of this subtitle.

1 (e) NATIONAL INFORMATION CLEARINGHOUSE.—

2 The Secretary shall make available to the public, in a
3 timely manner, information regarding—

4 (1) the cost, performance, usage data, and tech-
5 nical data regarding plug-in electric drive vehicles
6 and associated infrastructure, including information
7 from the deployment communities established under
8 section 2016; and

9 (2) any other educational information that the
10 Secretary determines to be appropriate.

11 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
12 authorized to be appropriated to carry out sections 2011
13 through 2013 \$100,000,000 for the period of fiscal years
14 2011 through 2016.

15 **SEC. 2012. NATIONAL ASSESSMENT AND PLAN.**

16 (a) IN GENERAL.—Not later than 2 years after the
17 date of enactment of this Act, the Secretary shall carry
18 out a national assessment and develop a national plan for
19 plug-in electric drive vehicle deployment that includes—

20 (1) an assessment of the maximum feasible de-
21 ployment of plug-in electric drive vehicles by 2020
22 and 2030;

23 (2) the establishment of national goals for mar-
24 ket penetration of plug-in electric drive vehicles by
25 2020 and 2030;

1 (3) a plan for integrating the successes and
2 barriers to deployment identified by the deployment
3 communities program established under section
4 2016 to prepare communities across the Nation for
5 the rapid deployment of plug-in electric drive vehi-
6 cles;

7 (4) a plan for providing technical assistance to
8 communities across the United States to prepare for
9 plug-in electric drive vehicle deployment;

10 (5) a plan for quantifying the reduction in pe-
11 troleum consumption and the net impact on green-
12 house gas emissions due to the deployment of plug-
13 in electric drive vehicles; and

14 (6) in consultation with the Task Force, any
15 recommendations to the President and to Congress
16 for changes in Federal programs (including laws,
17 regulations, and guidelines)—

18 (A) to better promote the deployment of
19 plug-in electric drive vehicles; and

20 (B) to reduce barriers to the deployment of
21 plug-in electric drive vehicles.

22 (b) UPDATES.—Not later than 2 years after the date
23 of development of the plan described in subsection (a), and
24 not less frequently than once every 2 years thereafter, the
25 Secretary shall use market data and information from the

1 targeted plug-in electric drive vehicle deployment commu-
 2 nities program established under section 2016 and other
 3 relevant data to update the plan to reflect real world mar-
 4 ket conditions.

5 **SEC. 2013. TECHNICAL ASSISTANCE.**

6 (a) TECHNICAL ASSISTANCE TO STATE, LOCAL, AND
 7 TRIBAL GOVERNMENTS.—

8 (1) IN GENERAL.—In carrying out this subtitle,
 9 the Secretary shall provide, at the request of the
 10 Governor, Mayor, county executive, or the designee
 11 of such an official, technical assistance to State,
 12 local, and tribal governments to assist with the de-
 13 ployment of plug-in electric drive vehicles.

14 (2) REQUIREMENTS.—The technical assistance
 15 described in paragraph (1) shall include—

16 (A) training on codes and standards for
 17 building and safety inspectors;

18 (B) training on best practices for expe-
 19 diting permits and inspections;

20 (C) education and outreach on frequently
 21 asked questions relating to the various types of
 22 plug-in electric drive vehicles and associated in-
 23 frastructure, battery technology, and disposal;
 24 and

1 (D) the dissemination of information re-
2 garding best practices for the deployment of
3 plug-in electric drive vehicles.

4 (3) PRIORITY.—In providing technical assist-
5 ance under this subsection, the Secretary shall give
6 priority to—

7 (A) communities that have established
8 public and private partnerships, including part-
9 nerships comprised of—

10 (i) elected and appointed officials
11 from each of the participating State, local,
12 and tribal governments;

13 (ii) relevant generators and distribu-
14 tors of electricity;

15 (iii) public utility commissions;

16 (iv) departments of public works and
17 transportation;

18 (v) owners and operators of property
19 that will be essential to the deployment of
20 a sufficient level of publicly available
21 charging infrastructure (including privately
22 owned parking lots or structures and com-
23 mercial entities with public access loca-
24 tions);

1 (vi) plug-in electric drive vehicle man-
2 ufacturers or retailers;

3 (vii) third-party providers of charging
4 infrastructure or services;

5 (viii) owners of any major fleet that
6 will participate in the program;

7 (ix) as appropriate, owners and opera-
8 tors of regional electric power distribution
9 and transmission facilities; and

10 (x) other existing community coali-
11 tions recognized by the Department of En-
12 ergy;

13 (B) communities that, as determined by
14 the Secretary, have best demonstrated that the
15 public is likely to embrace plug-in electric drive
16 vehicles, giving particular consideration to com-
17 munities that—

18 (i) have documented waiting lists to
19 purchase plug-in electric drive vehicles;

20 (ii) have developed projections of the
21 quantity of plug-in electric drive vehicles
22 supplied to dealers; and

23 (iii) have assessed the quantity of
24 charging infrastructure installed or for
25 which permits have been issued;

1 (C) communities that have shown a com-
2 mitment to serving diverse consumer charging
3 infrastructure needs, including the charging in-
4 frastructure needs for single- and multi-family
5 housing and public and privately owned com-
6 mercial infrastructure; and

7 (D) communities that have established reg-
8 ulatory and educational efforts to facilitate con-
9 sumer acceptance of plug-in electric drive vehi-
10 cles, including by—

11 (i) adopting (or being in the process
12 of adopting) streamlined permitting and
13 inspections processes for residential charg-
14 ing infrastructure; and

15 (ii) providing customer informational
16 resources, including providing plug-in elec-
17 tric drive information on community or
18 other websites.

19 (4) BEST PRACTICES.—The Secretary shall col-
20 lect and disseminate information to State, local, and
21 tribal governments creating plans to deploy plug-in
22 electric drive vehicles on best practices (including
23 codes and standards) that uses data from—

24 (A) the program established by section
25 2016;

1 (B) the activities carried out by the Task
2 Force; and

3 (C) existing academic and industry studies
4 of the factors that contribute to the successful
5 deployment of new technologies, particularly
6 studies relating to alternative fueled vehicles.

7 (5) GRANTS.—

8 (A) IN GENERAL.—The Secretary shall es-
9 tablish a program to provide grants to State,
10 local, and tribal governments or to partnerships
11 of government and private entities to assist the
12 governments and partnerships—

13 (i) in preparing a community deploy-
14 ment plan under section 2016; and

15 (ii) in preparing and implementing
16 programs that support the deployment of
17 plug-in electric drive vehicles.

18 (B) APPLICATION.—A State, local, or trib-
19 al government that seeks to receive a grant
20 under this paragraph shall submit to the Sec-
21 retary an application for the grant at such
22 time, in such form, and containing such infor-
23 mation as the Secretary may prescribe.

1 (C) USE OF FUNDS.—A State, local, or
2 tribal government receiving a grant under this
3 paragraph shall use the funds—

4 (i) to develop a community deploy-
5 ment plan that shall be submitted to the
6 next available competition under section
7 2016; and

8 (ii) to carry out activities that encour-
9 age the deployment of plug-in electric drive
10 vehicles including—

11 (I) planning for and installing
12 charging infrastructure, particularly
13 to develop and demonstrate diverse
14 and cost-effective planning, installa-
15 tion, and operations options for de-
16 ployment of single family and multi-
17 family residential, workplace, and
18 publicly available charging infrastruc-
19 ture;

20 (II) updating building, zoning, or
21 parking codes and permitting or in-
22 spection processes;

23 (III) workforce training, includ-
24 ing the training of permitting offi-
25 cials;

1 (IV) public education described
2 in the proposed marketing plan;

3 (V) shifting State, local, or tribal
4 government fleets to plug-in electric
5 drive vehicles, at a rate in excess of
6 the existing alternative fueled fleet ve-
7 hicles acquisition requirements for
8 Federal fleets under section
9 303(b)(1)(D) of the Energy Policy
10 Act of 1992 (42 U.S.C.
11 13212(b)(1)(D)); and

12 (VI) any other activities, as de-
13 termined to be necessary by the Sec-
14 retary.

15 (D) CRITERIA.—The Secretary shall de-
16 velop and publish criteria for the selection of
17 technical assistance grants, including require-
18 ments for the submission of applications under
19 this paragraph.

20 (E) AUTHORIZATION OF APPROPRIA-
21 TIONS.—There are authorized to be appro-
22 priated such sums as are necessary to carry out
23 this paragraph.

1 (b) UPDATING MODEL BUILDING CODES, PERMIT-
 2 TING AND INSPECTION PROCESSES, AND ZONING OR
 3 PARKING RULES.—

4 (1) IN GENERAL.—Not later than 1 year after
 5 the date of enactment of this Act, the Secretary, in
 6 consultation with the American Society of Heating,
 7 Refrigerating and Air-Conditioning Engineers, the
 8 International Code Council, and any other organiza-
 9 tions that the Secretary determines to be appro-
 10 priate, shall develop and publish guidance for—

11 (A) model building codes for the inclusion
 12 of separate circuits for charging infrastructure,
 13 as appropriate, in new construction and major
 14 renovations of private residences, buildings, or
 15 other structures that could provide publicly
 16 available charging infrastructure;

17 (B) model construction permitting or in-
 18 spection processes that allow for the expedited
 19 installation of charging infrastructure for pur-
 20 chasers of plug-in electric drive vehicles (includ-
 21 ing a permitting process that allows a vehicle
 22 purchaser to have charging infrastructure in-
 23 stalled not later than 1 week after a request);
 24 and

1 (C) model zoning, parking rules, or other
 2 local ordinances that—

3 (i) facilitate the installation of pub-
 4 licly available charging infrastructure, in-
 5 cluding commercial entities that provide
 6 public access to infrastructure; and

7 (ii) allow for access to publicly avail-
 8 able charging infrastructure.

9 (2) OPTIONAL ADOPTION.—An applicant for se-
 10 lection for technical assistance under this section or
 11 as a deployment community under section 2016
 12 shall not be required to use the model building
 13 codes, permitting and inspection processes, or zon-
 14 ing, parking rules, or other ordinances included in
 15 the report under paragraph (1).

16 (3) SMART GRID INTEGRATION.—In developing
 17 the model codes or ordinances described in para-
 18 graph (1), the Secretary shall consider smart grid
 19 integration.

20 **SEC. 2014. WORKFORCE TRAINING.**

21 (a) MAINTENANCE AND SUPPORT.—

22 (1) IN GENERAL.—The Secretary, in consulta-
 23 tion with the Committee and the Task Force, shall
 24 award grants to institutions of higher education and
 25 other qualified training and education institutions

1 for the establishment of programs to provide train-
2 ing and education for vocational workforce develop-
3 ment through centers of excellence.

4 (2) PURPOSE.—Training funded under this
5 subsection shall be intended to ensure that the work-
6 force has the necessary skills needed to work on and
7 maintain plug-in electric drive vehicles and the infra-
8 structure required to support plug-in electric drive
9 vehicles.

10 (3) SCOPE.—Training funded under this sub-
11 section shall include training for—

12 (A) first responders;

13 (B) electricians and contractors who will
14 be installing infrastructure;

15 (C) engineers;

16 (D) code inspection officials; and

17 (E) dealers and mechanics.

18 (b) DESIGN.—The Secretary shall award grants to
19 institutions of higher education and other qualified train-
20 ing and education institutions for the establishment of
21 programs to provide training and education in designing
22 plug-in electric drive vehicles and associated components
23 and infrastructure to ensure that the United States can
24 lead the world in this field.

1 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to carry out this section
3 \$150,000,000.

4 **SEC. 2015. FEDERAL FLEETS.**

5 (a) IN GENERAL.—Electricity consumed by Federal
6 agencies to fuel plug-in electric drive vehicles—

7 (1) is an alternative fuel (as defined in section
8 301 of the Energy Policy Act of 1992 (42 U.S.C.
9 13218)); and

10 (2) shall be accounted for under Federal fleet
11 management reporting requirements, not under Fed-
12 eral building management reporting requirements.

13 (b) ASSESSMENT AND REPORT.—Not later than 180
14 days after the date of enactment of this Act and every
15 3 years thereafter, the Federal Energy Management Pro-
16 gram and the General Services Administration, in con-
17 sultation with the Task Force, shall complete an assess-
18 ment of Federal Government fleets, including the Postal
19 Service and the Department of Defense, and submit a re-
20 port to Congress that describes—

21 (1) for each Federal agency, which types of ve-
22 hicles the agency uses that would or would not be
23 suitable for near-term and medium-term conversion
24 to plug-in electric drive vehicles, taking into account
25 the types of vehicles for which plug-in electric drive

1 vehicles could provide comparable functionality and
2 lifecycle costs;

3 (2) how many plug-in electric drive vehicles
4 could be deployed by the Federal Government in 5
5 years and in 10 years, assuming that plug-in electric
6 drive vehicles are available and are purchased when
7 new vehicles are needed or existing vehicles are re-
8 placed;

9 (3) the estimated cost to the Federal Govern-
10 ment for vehicle purchases under paragraph (2); and

11 (4) a description of any updates to the assess-
12 ment based on new market data.

13 (c) INVENTORY AND DATA COLLECTION.—

14 (1) IN GENERAL.—In carrying out the assess-
15 ment and report under subsection (b), the Federal
16 Energy Management Program, in consultation with
17 the General Services Administration, shall—

18 (A) develop an information request for
19 each agency that operates a fleet of at least 20
20 motor vehicles; and

21 (B) establish guidelines for each agency to
22 use in developing a plan to deploy plug-in elec-
23 tric drive vehicles.

24 (2) AGENCY RESPONSES.—Each agency that
25 operates a fleet of at least 20 motor vehicles shall—

1 (A) collect information on the vehicle fleet
2 of the agency in response to the information re-
3 quest described in paragraph (1); and

4 (B) develop a plan to deploy plug-in elec-
5 tric drive vehicles.

6 (3) ANALYSIS OF RESPONSES.—The Federal
7 Energy Management Program shall—

8 (A) analyze the information submitted by
9 each agency under paragraph (2);

10 (B) approve or suggest amendments to the
11 plan of each agency to ensure that the plan is
12 consistent with the goals and requirements of
13 this title; and

14 (C) submit a plan to Congress and the
15 General Services Administration to be used in
16 developing the pilot program described in sub-
17 section (e).

18 (d) BUDGET REQUEST.—Each agency of the Federal
19 Government shall include plug-in electric drive vehicle pur-
20 chases identified in the report under subsection (b) in the
21 budget of the agency to be included in the budget of the
22 United States Government submitted by the President
23 under section 1105 of title 31, United States Code.

24 (e) PILOT PROGRAM TO DEPLOY PLUG-IN ELECTRIC
25 DRIVE VEHICLES IN THE FEDERAL FLEET.—

1 (1) PROGRAM.—

2 (A) IN GENERAL.—The Administrator of
3 General Services shall acquire plug-in electric
4 drive vehicles and the requisite charging infra-
5 structure to be deployed in a range of locations
6 in Federal Government fleets, which may in-
7 clude the United States Postal Service and the
8 Department of Defense, during the 5-year pe-
9 riod beginning on the date of enactment of this
10 Act.

11 (B) EXPENDITURES.—To the maximum
12 extent practicable, expenditures under this
13 paragraph should make a contribution to the
14 advancement of manufacturing of electric drive
15 components and vehicles in the United States.

16 (2) DATA COLLECTION.—The Administrator of
17 General Services shall collect data regarding—

18 (A) the cost, performance, and use of plug-
19 in electric drive vehicles in the Federal fleet;

20 (B) the deployment and integration of
21 plug-in electric drive vehicles in the Federal
22 fleet; and

23 (C) the contribution of plug-in electric
24 drive vehicles in the Federal fleet toward reduc-

1 ing the use of fossil fuels and greenhouse gas
2 emissions.

3 (3) REPORT.—Not later than 6 years after the
4 date of enactment of this Act, the Administrator of
5 General Services shall submit to the appropriate
6 committees of Congress a report that—

7 (A) describes the status of plug-in electric
8 drive vehicles in the Federal fleet; and

9 (B) includes an analysis of the data col-
10 lected under this subsection.

11 (4) PUBLIC WEB SITE.—The Federal Energy
12 Management Program shall maintain and regularly
13 update a publicly available Web site that provides in-
14 formation on the status of plug-in electric drive vehi-
15 cles in the Federal fleet.

16 (f) ACQUISITION PRIORITY.—Section 507(g) of the
17 Energy Policy Act of 1992 (42 U.S.C. 13257(g)) is
18 amended by adding at the end the following:

19 “(5) PRIORITY.—The Secretary shall, to the
20 maximum extent practicable, prioritize the acquisi-
21 tion of plug-in electric drive vehicles (as defined in
22 section 131(a) of the Energy Independence and Se-
23 curity Act of 2007 (42 U.S.C. 17011(a)) over non-
24 electric alternative fueled vehicles.”.

1 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
 2 authorized to be appropriated for use by the Federal Gov-
 3 ernment in paying incremental costs to purchase or lease
 4 plug-in electric drive vehicles and the requisite charging
 5 infrastructure for Federal fleets \$25,000,000.

6 **SEC. 2016. TARGETED PLUG-IN ELECTRIC DRIVE VEHICLE**
 7 **DEPLOYMENT COMMUNITIES PROGRAM.**

8 (a) ESTABLISHMENT.—

9 (1) IN GENERAL.—There is established within
 10 the national plug-in electric drive deployment pro-
 11 gram established under section 2011 a targeted
 12 plug-in electric drive vehicle deployment communities
 13 program (referred to in this section as the “Pro-
 14 gram”).

15 (2) EXISTING ACTIVITIES.—In carrying out the
 16 Program, the Secretary shall coordinate and supple-
 17 ment, not supplant, any ongoing plug-in electric
 18 drive deployment activities under section 131 of the
 19 Energy Independence and Security Act of 2007 (42
 20 U.S.C. 17011).

21 (3) PHASE 1.—

22 (A) IN GENERAL.—The Secretary shall es-
 23 tablish a competitive process to select phase 1
 24 deployment communities for the Program.

1 (B) ELIGIBLE ENTITIES.—In selecting
2 participants for the Program under paragraph
3 (1), the Secretary shall only consider applica-
4 tions submitted by State, tribal, or local govern-
5 ment entities (or groups of State, tribal, or
6 local government entities).

7 (C) SELECTION.—Not later than 1 year
8 after the date of enactment of this Act and not
9 later than 1 year after the date on which any
10 subsequent amounts are appropriated for the
11 Program, the Secretary shall select the phase 1
12 deployment communities under this paragraph.

13 (D) TERMINATION.—Phase 1 of the Pro-
14 gram shall be carried out for a 3-year period
15 beginning on the date funding under this title
16 is first provided to the deployment community.

17 (4) PHASE 2.—Not later than 3 years after the
18 date of enactment of this Act, the Secretary shall
19 submit to Congress a report that analyzes the les-
20 sons learned in phase I and, if, based on the phase
21 I analysis, the Secretary determines that a phase II
22 program is warranted, makes recommendations and
23 describes a plan for phase II, including—

24 (A) recommendations regarding—

1 (i) options for the number of addi-
2 tional deployment communities that should
3 be selected;

4 (ii) the manner in which criteria for
5 selection should be updated;

6 (iii) the manner in which incentive
7 structures for phase 2 deployment should
8 be changed; and

9 (iv) whether other forms of onboard
10 energy storage for electric drive vehicles,
11 such as fuel cells, should be included in
12 phase 2; and

13 (B) a request for appropriations to imple-
14 ment phase 2 of the Program.

15 (b) GOALS.—The goals of the Program are—

16 (1) to facilitate the rapid deployment of plug-
17 in electric drive vehicles, including—

18 (A) the deployment of 400,000 plug-in
19 electric drive vehicles in phase 1 in the deploy-
20 ment communities selected under paragraph
21 (2);

22 (B) the near-term achievement of signifi-
23 cant market penetration in deployment commu-
24 nities; and

1 (C) supporting the achievement of signifi-
2 cant market penetration nationally;

3 (2) to establish models for the rapid deployment
4 of plug-in electric drive vehicles nationally, including
5 for the deployment of single-family and multifamily
6 residential, workplace, and publicly available charg-
7 ing infrastructure;

8 (3) to increase consumer knowledge and accept-
9 ance of, and exposure to, plug-in electric drive vehi-
10 cles;

11 (4) to encourage the innovation and investment
12 necessary to achieve mass market deployment of
13 plug-in electric drive vehicles;

14 (5) to demonstrate the integration of plug-in
15 electric drive vehicles into electricity distribution sys-
16 tems and the larger electric grid while maintaining
17 or improving grid system performance and reli-
18 ability;

19 (6) to demonstrate protocols and communica-
20 tion standards that facilitate vehicle integration into
21 the grid and provide seamless charging for con-
22 sumers traveling through multiple utility distribution
23 systems;

24 (7) to investigate differences among deployment
25 communities and to develop best practices for imple-

1 menting vehicle electrification in various commu-
 2 nities, including best practices for planning for and
 3 facilitating the construction of residential, work-
 4 place, and publicly available infrastructure to sup-
 5 port plug-in electric drive vehicles;

6 (8) to collect comprehensive data on the pur-
 7 chase and use of plug-in electric drive vehicles, in-
 8 cluding charging profile data at unit and aggregate
 9 levels, to inform best practices for rapidly deploying
 10 plug-in electric drive vehicles in other locations, in-
 11 cluding for the installation of charging infrastruc-
 12 ture;

13 (9) to reduce and displace petroleum use and
 14 reduce greenhouse gas emissions by accelerating the
 15 deployment of plug-in electric drive vehicles in the
 16 United States; and

17 (10) to increase domestic manufacturing capac-
 18 ity and commercialization in a manner that will es-
 19 tablish the United States as a world leader in plug-
 20 in electric drive vehicle technologies.

21 (c) PHASE 1 DEPLOYMENT COMMUNITY SELECTION

22 CRITERIA.—

23 (1) IN GENERAL.—The Secretary shall ensure,
 24 to the maximum extent practicable, that selected de-
 25 ployment communities in phase 1 serve as models of

1 deployment for various communities across the
2 United States.

3 (2) SELECTION.—In selecting communities
4 under this section, the Secretary—

5 (A) shall ensure, to the maximum extent
6 practicable, that—

7 (i) the combination of selected com-
8 munities is diverse in population density,
9 demographics, urban and suburban com-
10 position, typical commuting patterns, cli-
11 mate, and type of utility (including inves-
12 tor-owned, publicly-owned, cooperatively-
13 owned, distribution-only, and vertically in-
14 tegrated utilities);

15 (ii) the combination of selected com-
16 munities is diverse in geographic distribu-
17 tion, and at least 1 deployment community
18 is located in each Petroleum Administra-
19 tion for Defense District;

20 (iii) at least 1 community selected has
21 a population of less than 125,000;

22 (iv) grants are of a sufficient amount
23 such that each deployment community will
24 achieve significant market penetration; and

1 (v) the deployment communities are
2 representative of other communities across
3 the United States;

4 (B) is encouraged to select a combination
5 of deployment communities that includes mul-
6 tiple models or approaches for deploying plug-
7 in electric drive vehicles that the Secretary be-
8 lieves are reasonably likely to be effective, in-
9 cluding multiple approaches to the deployment
10 of charging infrastructure;

11 (C) in addition to the criteria described in
12 subparagraph (A), may give preference to appli-
13 cants proposing a greater non-Federal cost
14 share; and

15 (D) when considering deployment commu-
16 nity plans, shall take into account previous De-
17 partment of Energy and other Federal invest-
18 ments to ensure that the maximum domestic
19 benefit from Federal investments is realized.

20 (3) CRITERIA.—

21 (A) IN GENERAL.—Not later than 120
22 days after the date of enactment of this Act,
23 and not later than 90 days after the date on
24 which any subsequent amounts are appro-
25 priated for the Program, the Secretary shall

1 publish criteria for the selection of deployment
2 communities that include requirements that ap-
3 plications be submitted by a State, tribal, or
4 local government entity (or groups of State,
5 tribal, or local government entities).

6 (B) APPLICATION REQUIREMENTS.—The
7 criteria published by the Secretary under sub-
8 paragraph (A) shall include application require-
9 ments that, at a minimum, include—

10 (i) goals for—

11 (I) the number of plug-in electric
12 drive vehicles to be deployed in the
13 community;

14 (II) the expected percentage of
15 light-duty vehicle sales that would be
16 sales of plug-in electric drive vehicles;
17 and

18 (III) the adoption of plug-in elec-
19 tric drive vehicles (including medium-
20 or heavy-duty vehicles) in private and
21 public fleets during the 3-year dura-
22 tion of the Program;

23 (ii) data that demonstrate that—

1 (I) the public is likely to embrace
2 plug-in electric drive vehicles, which
3 may include—

4 (aa) the quantity of plug-in
5 electric drive vehicles purchased;

6 (bb) the number of individ-
7 uals on a waiting list to purchase
8 a plug-in electric drive vehicle;

9 (cc) projections of the quan-
10 tity of plug-in electric drive vehi-
11 cles supplied to dealers; and

12 (dd) any assessment of the
13 quantity of charging infrastruc-
14 ture installed or for which per-
15 mits have been issued; and

16 (II) automobile manufacturers
17 and dealers will be able to provide and
18 service the targeted number of plug-in
19 electric drive vehicles in the commu-
20 nity for the duration of the program;

21 (iii) clearly defined geographic bound-
22 aries of the proposed deployment area;

23 (iv) a community deployment plan for
24 the deployment of plug-in electric drive ve-

hicles, charging infrastructure, and services in the deployment community;

(v) assurances that a majority of the vehicle deployments anticipated in the plan will be personal vehicles authorized to travel on the United States Federal-aid system of highways, and secondarily, private or public sector plug-in electric drive fleet vehicles, but may also include—

(I) medium- and heavy-duty plug-in hybrid vehicles;

(II) low speed plug-in electric drive vehicles that meet Federal Motor Vehicle Safety Standards described in section 571.500 of title 49, Code of Federal Regulations; and

(III) any other plug-in electric drive vehicle authorized to travel on the United States Federal-aid system of highways; and

(vi) any other merit-based criteria, as determined by the Secretary.

(4) COMMUNITY DEPLOYMENT PLANS.—Plans for the deployment of plug-in electric drive vehicles shall include—

1 (A) a proposed level of cost sharing in ac-
2 cordance with subsection (d)(2)(C);

3 (B) documentation demonstrating a sub-
4 stantial partnership with relevant stakeholders,
5 including—

6 (i) a list of stakeholders that in-
7 cludes—

8 (I) elected and appointed officials
9 from each of the participating State,
10 local, and tribal governments;

11 (II) all relevant generators and
12 distributors of electricity;

13 (III) State utility regulatory au-
14 thorities;

15 (IV) departments of public works
16 and transportation;

17 (V) owners and operators of
18 property that will be essential to the
19 deployment of a sufficient level of
20 publicly available charging infrastruc-
21 ture (including privately owned park-
22 ing lots or structures and commercial
23 entities with public access locations);

24 (VI) plug-in electric drive vehicle
25 manufacturers or retailers;

1 (VII) third-party providers of
2 residential, workplace, private, and
3 publicly available charging infrastruc-
4 ture or services;

5 (VIII) owners of any major fleet
6 that will participate in the program;

7 (IX) as appropriate, owners and
8 operators of regional electric power
9 distribution and transmission facili-
10 ties; and

11 (X) as appropriate, other existing
12 community coalitions recognized by
13 the Department of Energy;

14 (ii) evidence of the commitment of the
15 stakeholders to participate in the partner-
16 ship;

17 (iii) a clear description of the role and
18 responsibilities of each stakeholder; and

19 (iv) a plan for continuing the engage-
20 ment and participation of the stakeholders,
21 as appropriate, throughout the implemen-
22 tation of the deployment plan;

23 (C) a description of the number of plug-in
24 electric drive vehicles anticipated to be plug-in
25 electric drive personal vehicles and the number

1 of plug-in electric drive vehicles anticipated to
2 be privately owned fleet or public fleet vehicles;

3 (D) a plan for deploying residential, work-
4 place, private, and publicly available charging
5 infrastructure, including—

6 (i) an assessment of the number of
7 consumers who will have access to private
8 residential charging infrastructure in sin-
9 gle-family or multifamily residences;

10 (ii) options for accommodating plug-in
11 electric drive vehicle owners who are not
12 able to charge vehicles at their place of
13 residence;

14 (iii) an assessment of the number of
15 consumers who will have access to work-
16 place charging infrastructure;

17 (iv) a plan for ensuring that the
18 charging infrastructure or plug-in electric
19 drive vehicle be able to send and receive
20 the information needed to interact with the
21 grid and be compatible with smart grid
22 technologies to the extent feasible;

23 (v) an estimate of the number and
24 dispersion of publicly and privately owned

1 charging stations that will be publicly or
2 commercially available;

3 (vi) an estimate of the quantity of
4 charging infrastructure that will be pri-
5 vately funded or located on private prop-
6 erty; and

7 (vii) a description of equipment to be
8 deployed, including assurances that, to the
9 maximum extent practicable, equipment to
10 be deployed will meet open, nonproprietary
11 standards for connecting to plug-in electric
12 drive vehicles that are either—

13 (I) commonly accepted by indus-
14 try at the time the equipment is being
15 acquired; or

16 (II) meet the standards developed
17 by the Director of the National Insti-
18 tute of Standards and Technology
19 under section 1305 of the Energy
20 Independence and Security Act of
21 2007 (42 U.S.C. 17385);

22 (E) a plan for effective marketing of and
23 consumer education relating to plug-in electric
24 drive vehicles, charging services, and infrastruc-
25 ture;

1 (F) descriptions of updated building codes
2 (or a plan to update building codes before or
3 during the grant period) to include charging in-
4 frastructure or dedicated circuits for charging
5 infrastructure, as appropriate, in new construc-
6 tion and major renovations;

7 (G) descriptions of updated construction
8 permitting or inspection processes (or a plan to
9 update construction permitting or inspection
10 processes) to allow for expedited installation of
11 charging infrastructure for purchasers of plug-
12 in electric drive vehicles, including a permitting
13 process that allows a vehicle purchaser to have
14 charging infrastructure installed in a timely
15 manner;

16 (H) descriptions of updated zoning, park-
17 ing rules, or other local ordinances as are nec-
18 essary to facilitate the installation of publicly
19 available charging infrastructure and to allow
20 for access to publicly available charging infra-
21 structure, as appropriate;

22 (I) a plan to ensure that each resident in
23 a deployment community who purchases and
24 registers a new plug-in electric drive vehicle
25 throughout the duration of the deployment com-

1 munity receives, in addition to any Federal in-
2 centives, consumer benefits that may include—

3 (i) a rebate of part of the purchase
4 price of the vehicle;

5 (ii) reductions in sales taxes or reg-
6 istration fees;

7 (iii) rebates or reductions in the costs
8 of permitting, purchasing, or installing
9 home plug-in electric drive vehicle charging
10 infrastructure; and

11 (iv) rebates or reductions in State or
12 local toll road access charges;

13 (J) additional consumer benefits, such as
14 preferred parking spaces or single-rider access
15 to high-occupancy vehicle lanes for plug-in elec-
16 tric drive vehicles;

17 (K) a proposed plan for making necessary
18 utility and grid upgrades, including economi-
19 cally sound and cybersecure information tech-
20 nology upgrades and employee training, and a
21 plan for recovering the cost of the upgrades;

22 (L) a description of utility, grid operator,
23 or third-party charging service provider, policies
24 and plans for accommodating the deployment of
25 plug-in electric drive vehicles, including—

- 1 (i) rate structures or provisions and
- 2 billing protocols for the charging of plug-
- 3 in electric drive vehicles;
- 4 (ii) analysis of potential impacts to
- 5 the grid;
- 6 (iii) plans for using information tech-
- 7 nology or third-party aggregators—
- 8 (I) to minimize the effects of
- 9 charging on peak loads;
- 10 (II) to enhance reliability; and
- 11 (III) to provide other grid bene-
- 12 fits;
- 13 (iv) plans for working with smart grid
- 14 technologies or third-party aggregators for
- 15 the purposes of smart charging and for al-
- 16 lowing 2-way communication;
- 17 (M) a deployment timeline;
- 18 (N) a plan for monitoring and evaluating
- 19 the implementation of the plan, including
- 20 metrics for assessing the success of the deploy-
- 21 ment and an approach to updating the plan, as
- 22 appropriate; and
- 23 (O) a description of the manner in which
- 24 any grant funds applied for under subsection

1 (d) will be used and the proposed local cost
2 share for the funds.

3 (d) PHASE 1 APPLICATIONS AND GRANTS.—

4 (1) APPLICATIONS.—

5 (A) IN GENERAL.—Not later than 150
6 days after the date of publication by the Sec-
7 retary of selection criteria described in sub-
8 section (c)(3), any State, tribal, or local govern-
9 ment, or group of State, tribal, or local govern-
10 ments may apply to the Secretary to become a
11 deployment community.

12 (B) JOINT SPONSORSHIP.—

13 (i) IN GENERAL.—An application sub-
14 mitted under subparagraph (A) may be
15 jointly sponsored by electric utilities, auto-
16 mobile manufacturers, technology pro-
17 viders, carsharing companies or organiza-
18 tions, third-party plug-in electric drive ve-
19 hicle service providers, or other appro-
20 priated entities.

21 (ii) DISBURSEMENT OF GRANTS.—A
22 grant provided under this subsection shall
23 only be disbursed to a State, tribal, or
24 local government, or group of State, tribal,
25 or local governments, regardless of whether

1 the application is jointly sponsored under
2 clause (i).

3 (2) GRANTS.—

4 (A) IN GENERAL.—In each application, the
5 applicant may request up to \$100,000,000 in fi-
6 nancial assistance from the Secretary to fund
7 projects in the deployment community.

8 (B) USE OF FUNDS.—Funds provided
9 through a grant under this paragraph may be
10 used to help implement the plan for the deploy-
11 ment of plug-in electric drive vehicles included
12 in the application, including—

13 (i) planning for and installing charg-
14 ing infrastructure, including offering addi-
15 tional incentives as described in subsection
16 (c)(4)(I);

17 (ii) updating building codes, zoning or
18 parking rules, or permitting or inspection
19 processes as described in subparagraphs
20 (F), (G), and (H) of subsection (c)(4);

21 (iii) reducing the cost and increasing
22 the consumer adoption of plug-in electric
23 drive vehicles through incentives as de-
24 scribed in subsection (c)(4)(I);

1 (iv) workforce training, including
2 training of permitting officials;

3 (v) public education and marketing
4 described in the proposed marketing plan;

5 (vi) shifting State, tribal, or local gov-
6 ernment fleets to plug-in electric drive ve-
7 hicles, at a rate in excess of the existing al-
8 ternative fueled fleet vehicle acquisition re-
9 quirements for Federal fleets under section
10 303(b)(1)(D) of the Energy Policy Act of
11 1992 (42 U.S.C. 13212(b)(1)(D)); and

12 (vii) necessary utility and grid up-
13 grades as described in subsection
14 (c)(4)(K).

15 (C) COST-SHARING.—

16 (i) IN GENERAL.—A grant provided
17 under this paragraph shall be subject to a
18 minimum non-Federal cost-sharing re-
19 quirement of 20 percent.

20 (ii) NON-FEDERAL SOURCES.—The
21 Secretary shall—

22 (I) determine the appropriate
23 cost share for each selected applicant;
24 and

1 (II) require that the Federal con-
 2 tribution to total expenditures on ac-
 3 tivities described in clauses (ii), (iv),
 4 (v), and (vi) of subparagraph (B) not
 5 exceed 30 percent.

6 (iii) REDUCTION.—The Secretary may
 7 reduce or eliminate the cost-sharing re-
 8 quirement described in clause (i), as the
 9 Secretary determines to be necessary.

10 (iv) CALCULATION OF AMOUNT.—In
 11 calculating the amount of the non-Federal
 12 share under this section, the Secretary—

13 (I) may include allowable costs in
 14 accordance with the applicable cost
 15 principles, including—

16 (aa) cash;

17 (bb) personnel costs;

18 (cc) the value of a service,
 19 other resource, or third party in-
 20 kind contribution determined in
 21 accordance with the applicable
 22 circular of the Office of Manage-
 23 ment and Budget;

24 (dd) indirect costs or facili-
 25 ties and administrative costs; or

1 (ee) any funds received
2 under the power program of the
3 Tennessee Valley Authority or
4 any Power Marketing Adminis-
5 tration (except to the extent that
6 such funds are made available
7 under an annual appropriation
8 Act);

9 (II) shall include contributions
10 made by State, tribal, or local govern-
11 ment entities and private entities; and

12 (III) shall not include—

13 (aa) revenues or royalties
14 from the prospective operation of
15 an activity beyond the time con-
16 sidered in the grant;

17 (bb) proceeds from the pro-
18 spective sale of an asset of an ac-
19 tivity; or

20 (cc) other appropriated Fed-
21 eral funds.

22 (v) REPAYMENT OF FEDERAL
23 SHARE.—The Secretary shall not require
24 repayment of the Federal share of a cost-

1 shared activity under this section as a con-
2 dition of providing a grant.

3 (vi) TITLE TO PROPERTY.—The Sec-
4 retary may vest title or other property in-
5 terests acquired under projects funded
6 under this title in any entity, including the
7 United States.

8 (3) SELECTION.—Not later than 120 days after
9 an application deadline has been established under
10 paragraph (1), the Secretary shall announce the
11 names of the deployment communities selected under
12 this subsection.

13 (e) REPORTING REQUIREMENTS.—

14 (1) IN GENERAL.—The Secretary, in consulta-
15 tion with the Committee, shall—

16 (A) determine what data will be required
17 to be collected by participants in deployment
18 communities and submitted to the Department
19 to allow for analysis of the deployment commu-
20 nities;

21 (B) provide for the protection of consumer
22 privacy, as appropriate; and

23 (C) develop metrics to evaluate the per-
24 formance of the deployment communities.

1 (2) PROVISION OF DATA.—As a condition of
2 participation in the Program, a deployment commu-
3 nity shall provide any data identified by the Sec-
4 retary under paragraph (1).

5 (3) REPORTS.—Not later than 3 years after the
6 date of enactment of this Act and again after the
7 completion of the Program, the Secretary shall sub-
8 mit to Congress a report that contains—

9 (A) a description of the status of—

10 (i) the deployment communities and
11 the implementation of the deployment plan
12 of each deployment community;

13 (ii) the rate of vehicle deployment and
14 market penetration of plug-in electric drive
15 vehicles; and

16 (iii) the deployment of residential and
17 publicly available infrastructure;

18 (B) a description of the challenges experi-
19 enced and lessons learned from the program to
20 date, including the activities described in sub-
21 paragraph (A); and

22 (C) an analysis of the data collected under
23 this subsection.

1 (f) PROPRIETARY INFORMATION.—The Secretary
2 shall, as appropriate, provide for the protection of propri-
3 etary information and intellectual property rights.

4 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
5 authorized to be appropriated to carry out this section
6 \$2,000,000,000.

7 (h) CONFORMING AMENDMENT.—Section 166(b)(5)
8 of title 23, United States Code, is amended—

9 (1) in subparagraph (A), by striking “Before
10 September 30, 2009, the State” and inserting “The
11 State”; and

12 (2) in subparagraph (B), by striking “Before
13 September 30, 2009, the State” and inserting “The
14 State”.

15 **SEC. 2017. FUNDING.**

16 (a) TARGETED PLUG-IN ELECTRIC DRIVE VEHICLE
17 DEPLOYMENT COMMUNITIES PROGRAM.—

18 (1) IN GENERAL.—On October 1, 2010, out of
19 any funds in the Treasury not otherwise appro-
20 priated, the Secretary of the Treasury shall transfer
21 to the Secretary to carry out section 2016
22 \$400,000,000, to remain available until expended.

23 (2) RECEIPT AND ACCEPTANCE.—The Sec-
24 retary shall be entitled to receive, shall accept, and
25 shall use to carry out section 2016 the funds trans-

1 ferred under paragraph (1), without further appro-
2 piation.

3 (b) OTHER PROVISIONS.—

4 (1) IN GENERAL.—On October 1, 2010, out of
5 any funds in the Treasury not otherwise appro-
6 priated, the Secretary of the Treasury shall transfer
7 to the Secretary to carry out this subtitle (other
8 than section 2016) \$100,000,000, to remain avail-
9 able until expended.

10 (2) RECEIPT AND ACCEPTANCE.—The Sec-
11 retary shall be entitled to receive, shall accept, and
12 shall use to carry out this subtitle (other than sec-
13 tion 2016) the funds transferred under paragraph
14 (1), without further appropriation.

15 **Subtitle B—Research and** 16 **Development**

17 **SEC. 2021. RESEARCH AND DEVELOPMENT PROGRAM.**

18 (a) RESEARCH AND DEVELOPMENT PROGRAM.—

19 (1) IN GENERAL.—The Secretary, in consulta-
20 tion with the Committee, shall establish a program
21 to fund research and development in advanced bat-
22 teries, plug-in electric drive vehicle components,
23 plug-in electric drive infrastructure, and other tech-
24 nologies supporting the development, manufacture,

1 and deployment of plug-in electric drive vehicles and
2 charging infrastructure.

3 (2) USE OF FUNDS.—The program may include
4 funding for—

5 (A) the development of low-cost, smart-
6 charging and vehicle-to-grid connectivity tech-
7 nology;

8 (B) the benchmarking and assessment of
9 open software systems using nationally estab-
10 lished evaluation criteria; and

11 (C) new technologies in electricity storage
12 or electric drive components for vehicles.

13 (3) REPORT.—Not later than 4 years after the
14 date of enactment of this Act, the Secretary shall
15 submit to Congress a report describing the status of
16 the program described in paragraph (1).

17 (b) SECONDARY USE APPLICATIONS PROGRAM.—

18 (1) IN GENERAL.—The Secretary, in consulta-
19 tion with the Committee, shall carry out a research,
20 development, and demonstration program that builds
21 upon any work carried out under section 915 of the
22 Energy Policy Act of 2005 (42 U.S.C. 16195) and—

23 (A) identifies possible uses of a vehicle bat-
24 tery after the useful life of the battery in a ve-
25 hicle has been exhausted;

1 (B) assesses the potential for markets for
2 uses described in subparagraph (A) to develop,
3 as well as any barriers to the development of
4 the markets;

5 (C) identifies the infrastructure, tech-
6 nology, and equipment needed to manage the
7 charging activity of the batteries used in sta-
8 tionary sources; and

9 (D) identifies the potential uses of a vehi-
10 cle battery—

11 (i) with the most promise for market
12 development; and

13 (ii) for which market development
14 would be aided by a demonstration project.

15 (2) REPORT.—Not later than 2 years after the
16 date of enactment of this Act, the Secretary shall
17 submit to the appropriate committees of Congress
18 an initial report on the findings of the program de-
19 scribed in paragraph (1), including recommendations
20 for stationary energy storage and other potential ap-
21 plications for batteries used in plug-in electric drive
22 vehicles.

23 (c) SECONDARY USE DEMONSTRATION PROJECTS.—

24 (1) IN GENERAL.—Based on the results of the
25 program described in subsection (b), the Secretary,

1 in consultation with the Committee, shall develop
2 guidelines for projects that demonstrate the sec-
3 ondary uses of vehicle batteries.

4 (2) PUBLICATION OF GUIDELINES.—Not later
5 than 30 months after the date of enactment of this
6 Act, the Secretary shall—

7 (A) publish the guidelines described in
8 paragraph (1); and

9 (B) solicit applications for funding for
10 demonstration projects.

11 (3) GRANT PROGRAM.—Not later than 38
12 months after the date of enactment of this Act, the
13 Secretary shall select proposals for grant funding
14 under this section, based on an assessment of which
15 proposals are mostly likely to contribute to the devel-
16 opment of a secondary market for batteries.

17 (d) MATERIALS RECYCLING STUDY.—

18 (1) IN GENERAL.—The Secretary, in consulta-
19 tion with the Committee, shall carry out a study on
20 the recycling of materials from plug-in electric drive
21 vehicles and the batteries used in plug-in electric
22 drive vehicles.

23 (2) REPORT.—Not later than 2 years after the
24 date of enactment of this Act, the Secretary shall
25 submit to the appropriate committees of Congress a

1 report on the findings of the study described in
2 paragraph (1).

3 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated to carry out this section
5 \$1,535,000,000, including—

6 (1) \$1,500,000,000 for use in conducting the
7 program described in subsection (a) for fiscal years
8 2011 through 2020;

9 (2) \$5,000,000 for use in conducting the pro-
10 gram described in subsection (b) for fiscal years
11 2011 through 2016;

12 (3) \$25,000,000 for use in providing grants de-
13 scribed in subsection (c) for fiscal years 2011
14 through 2020; and

15 (4) \$5,000,000 for use in conducting the study
16 described in subsection (d) for fiscal years 2011
17 through 2013.

18 **SEC. 2022. ADVANCED BATTERIES FOR TOMORROW PRIZE.**

19 (a) IN GENERAL.—Not later than 1 year after the
20 date of enactment of this Act, as part of the program de-
21 scribed in section 1008 of the Energy Policy Act of 2005
22 (42 U.S.C. 16396), the Secretary shall establish the Ad-
23 vanced Batteries for Tomorrow Prize to competitively
24 award cash prizes in accordance with this section to ad-

1 vance the research, development, demonstration, and com-
2 mercial application of a 500-mile vehicle battery.

3 (b) BATTERY SPECIFICATIONS.—

4 (1) IN GENERAL.—To be eligible for the Prize,
5 a battery submitted by an entrant shall be—

6 (A) able to power a plug-in electric drive
7 vehicle authorized to travel on the United
8 States Federal-aid system of highways for at
9 least 500 miles before recharging;

10 (B) of a size that would not be cost-prohib-
11 itive or create space constraints, if mass-pro-
12 duced; and

13 (C) cost-effective (measured in cost per kil-
14 owatt hour), if mass-produced.

15 (2) ADDITIONAL REQUIREMENTS.—The Sec-
16 retary, in consultation with the Committee, shall es-
17 tablish any additional battery specifications that the
18 Secretary and the Committee determine to be nec-
19 essary.

20 (c) PRIVATE FUNDS.—

21 (1) IN GENERAL.—Subject to paragraph (2)
22 and notwithstanding section 3302 of title 31, United
23 States Code, the Secretary may accept, retain, and
24 use funds contributed by any person, government

1 entity, or organization for purposes of carrying out
2 this subsection—

3 (A) without further appropriation; and

4 (B) without fiscal year limitation.

5 (2) RESTRICTION ON PARTICIPATION.—An enti-
6 ty providing private funds for the Prize may not
7 participate in the competition for the Prize.

8 (d) TECHNICAL REVIEW.—The Secretary, in con-
9 sultation with the Committee, shall establish a technical
10 review committee composed of non-Federal officers to re-
11 view data submitted by Prize entrants under this section
12 and determine whether the data meets the prize specifica-
13 tions described in subsection (b).

14 (e) THIRD PARTY ADMINISTRATION.—The Secretary
15 may select, on a competitive basis, a third party to admin-
16 ister awards provided under this section.

17 (f) ELIGIBILITY.—To be eligible for an award under
18 this section—

19 (1) in the case of a private entity, the entity
20 shall be incorporated in and maintain a primary
21 place of business in the United States; and

22 (2) in the case of an individual (whether par-
23 ticipating as a single individual or in a group), the
24 individual shall be a citizen or lawful permanent
25 resident of the United States.

1 (g) AWARD AMOUNTS.—

2 (1) IN GENERAL.—Subject to the availability of
3 funds to carry out this section, the amount of the
4 Prize shall be \$10,000,000.

5 (2) BREAKTHROUGH ACHIEVEMENT AWARDS.—

6 In addition to the award described in paragraph (1),
7 the Secretary, in consultation with the technical re-
8 view committee established under subsection (d),
9 may award cash prizes, in amounts determined by
10 the Secretary, in recognition of breakthrough
11 achievements in research, development, demonstra-
12 tion, and commercial application of—

13 (A) activities described in subsection (b);

14 or

15 (B) advances in battery durability, energy
16 density, and power density.

17 (h) 500-MILE BATTERY AWARD FUND.—

18 (1) ESTABLISHMENT.—There is established in
19 the Treasury of the United States a fund to be
20 known as the “500-mile Battery Fund” (referred to
21 in this section as the “Fund”), to be administered
22 by the Secretary, to be available without fiscal year
23 limitation and subject to appropriation, to award
24 amounts under this section.

1 (2) TRANSFERS TO FUND.—The Fund shall
2 consist of—

3 (A) such amounts as are appropriated to
4 the Fund under subsection (i); and

5 (B) such amounts as are described in sub-
6 section (c) and that are provided for the Fund.

7 (3) PROHIBITION.—Amounts in the Fund may
8 not be made available for any purpose other than a
9 purposes described in subsection (a).

10 (4) ANNUAL REPORTS.—

11 (A) IN GENERAL.—Not later than 60 days
12 after the end of each fiscal year beginning with
13 fiscal year 2012, the Secretary shall submit a
14 report on the operation of the Fund during the
15 fiscal year to—

16 (i) the Committees on Appropriations
17 of the House of Representatives and of the
18 Senate;

19 (ii) the Committee on Energy and
20 Natural Resources of the Senate; and

21 (iii) the Committee on Energy and
22 Commerce of the House of Representa-
23 tives.

1 (B) CONTENTS.—Each report shall in-
2 clude, for the fiscal year covered by the report,
3 the following:

4 (i) A statement of the amounts depos-
5 ited into the Fund.

6 (ii) A description of the expenditures
7 made from the Fund for the fiscal year, in-
8 cluding the purpose of the expenditures.

9 (iii) Recommendations for additional
10 authorities to fulfill the purpose of the
11 Fund.

12 (iv) A statement of the balance re-
13 maining in the Fund at the end of the fis-
14 cal year.

15 (5) SEPARATE APPROPRIATIONS ACCOUNT.—
16 Section 1105(a) of title 31, United States Code, is
17 amended—

18 (A) by redesignating paragraphs (35) and
19 (36) as paragraphs (36) and (37), respectively;

20 (B) by redesignating the second paragraph
21 (33) (relating to obligational authority and out-
22 lays requested for homeland security) as para-
23 graph (35); and

24 (C) by adding at the end the following:

1 “(38) a separate statement for the 500-mile
2 Battery Fund established under section 2022(h) of
3 the Promoting Natural Gas and Electric Vehicles
4 Act of 2010, which shall include the estimated
5 amount of deposits into the Fund, obligations, and
6 outlays from the Fund.”.

7 (i) AUTHORIZATION OF APPROPRIATIONS.—There is
8 authorized to be appropriated—

9 (1) \$10,000,000 to carry out subsection (g)(1);
10 and

11 (2) \$1,000,000 to carry out subsection (g)(2).

12 **SEC. 2023. STUDY ON THE SUPPLY OF RAW MATERIALS.**

13 (a) IN GENERAL.—The Secretary of the Interior, in
14 consultation with the Secretary and the Task Force, shall
15 conduct a study that—

16 (1) identifies the raw materials needed for the
17 manufacture of plug-in electric drive vehicles, bat-
18 teries, and other components for plug-in electric
19 drive vehicles, and for the infrastructure needed to
20 support plug-in electric drive vehicles;

21 (2) describes the primary or original sources
22 and known reserves and resources of those raw ma-
23 terials;

24 (3) assesses, in consultation with the National
25 Academy of Sciences, the degree of risk to the man-

1 manufacture, maintenance, deployment, and use of plug-
2 in electric drive vehicles associated with the supply
3 of those raw materials; and

4 (4) identifies pathways to securing reliable and
5 resilient supplies of those raw materials.

6 (b) REPORT.—Not later than 3 years after the date
7 of enactment of this Act, the Secretary of the Interior
8 shall submit to Congress a report that describes the re-
9 sults of the study.

10 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
11 authorized to be appropriated to carry out this subsection
12 \$1,500,000.

13 **SEC. 2024. STUDY ON THE COLLECTION AND PRESERVA-**
14 **TION OF DATA COLLECTED FROM PLUG-IN**
15 **ELECTRIC DRIVE VEHICLES.**

16 (a) IN GENERAL.—Not later than 180 days after the
17 date of enactment of this Act, the Secretary, in consulta-
18 tion with the Committee, shall enter into an agreement
19 with the National Academy of Sciences under which the
20 Academy shall conduct a study that—

21 (1) identifies—

22 (A) the data that may be collected from
23 plug-in electric drive vehicles, including data on
24 the location, charging patterns, and usage of
25 plug-in electric drive vehicles;

1 (B) the scientific, economic, commercial,
 2 security, and historic potential of the data de-
 3 scribed in subparagraph (A); and

4 (C) any laws or regulations that relate to
 5 the data described in subparagraph (A); and

6 (2) analyzes and provides recommendations on
 7 matters that include procedures, technologies, and
 8 rules relating to the collection, storage, and preser-
 9 vation of the data described in paragraph (1)(A).

10 (b) REPORT.—Not later than 15 months after the
 11 date of an agreement between the Secretary and the Acad-
 12 emy under subsection (a), the National Academy of
 13 Sciences shall submit to the appropriate committees of
 14 Congress a report that describes the results of the study
 15 under subsection (a).

16 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
 17 authorized to be appropriated to carry out this section
 18 \$1,000,000.

19 **Subtitle C—Miscellaneous**

20 **SEC. 2031. UTILITY PLANNING FOR PLUG-IN ELECTRIC** 21 **DRIVE VEHICLES.**

22 (a) IN GENERAL.—The Public Utility Regulatory
 23 Policies Act of 1978 (16 U.S.C. 2601 et seq.) is amend-
 24 ed—

1 (1) in section 111(d) (16 U.S.C. 2621(d)), by
2 adding at the end the following:

3 “(20) PLUG-IN ELECTRIC DRIVE VEHICLE
4 PLANNING.—

5 “(A) UTILITY PLAN FOR PLUG-IN ELEC-
6 TRIC DRIVE VEHICLES.—

7 “(i) IN GENERAL.—Not later than 2
8 years after the date of enactment of this
9 paragraph, each electric utility shall de-
10 velop a plan to support the use of plug-in
11 electric drive vehicles, including medium-
12 and heavy-duty hybrid electric vehicles in
13 the service area of the electric utility.

14 “(ii) REQUIREMENTS.—A plan under
15 clause (i) shall investigate—

16 “(I) various levels of potential
17 penetration of plug-in electric drive
18 vehicles in the utility service area;

19 “(II) the potential impacts that
20 the various levels of penetration and
21 charging scenarios (including charging
22 rates and daily hours of charging)
23 would have on generation, distribution
24 infrastructure, and the operation of
25 the transmission grid; and

1 “(III) the role of third parties in
2 providing reliable and economical
3 charging services.

4 “(iii) WAIVER.—

5 “(I) IN GENERAL.—An electric
6 utility that determines that the elec-
7 tric utility will not be impacted by
8 plug-in electric drive vehicles during
9 the 5-year period beginning on the
10 date of enactment of this paragraph
11 may petition the Secretary to waive
12 clause (i) for 5 years.

13 “(II) APPROVAL.—Approval of a
14 waiver under subclause (I) shall be in
15 the sole discretion of the Secretary.

16 “(iv) UPDATES.—

17 “(I) IN GENERAL.—Each electric
18 utility shall update the plan of the
19 electric utility every 5 years.

20 “(II) RESUBMISSION OF WAIV-
21 ER.—An electric utility that received a
22 waiver under clause (iii) and wants
23 the waiver to continue after the expi-
24 ration of the waiver shall be required
25 to resubmit the waiver.

1 “(v) EXEMPTION.—If the Secretary
 2 determines that a plan required by a State
 3 regulatory authority meets the require-
 4 ments of this paragraph, the Secretary
 5 may accept that plan and exempt the elec-
 6 tric utility submitting the plan from the re-
 7 quirements of clause (i).

8 “(B) SUPPORT REQUIREMENTS.—Each
 9 State regulatory authority (in the case of each
 10 electric utility for which the authority has rate-
 11 making authority) and each municipal and co-
 12 operative utility shall—

13 “(i) participate in any local plan for
 14 the deployment of recharging infrastruc-
 15 ture in communities located in the foot-
 16 print of the authority or utility;

17 “(ii) require that charging infrastruc-
 18 ture deployed is interoperable with prod-
 19 ucts of all auto manufacturers to the max-
 20 imum extent practicable; and

21 “(iii) consider adopting minimum re-
 22 quirements for deployment of electrical
 23 charging infrastructure and other appro-
 24 priate requirements necessary to support
 25 the use of plug-in electric drive vehicles.

“(C) COST RECOVERY.—Each State regulatory authority (in the case of each electric utility for which the authority has ratemaking authority) and each municipal and cooperative utility may consider whether, and to what extent, to allow cost recovery for plans and implementation of plans.

“(D) DETERMINATION.—Not later than 3 years after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which the authority has ratemaking authority), and each municipal and cooperative electric utility, shall complete the consideration, and shall make the determination, referred to in subsection (a) with respect to the standard established by this paragraph.”;

(2) in section 112(c) (16 U.S.C. 2622(c))—

(A) in the first sentence, by striking “Each State” and inserting the following:

“(1) IN GENERAL.—Each State”;

(B) in the second sentence, by striking “In the case” and inserting the following:

“(2) SPECIFIC STANDARDS.—

1 “(A) NET METERING AND FOSSIL FUEL
2 GENERATION EFFICIENCY.—In the case”;

3 (C) in the third sentence, by striking “In
4 the case” and inserting the following:

5 “(B) TIME-BASED METERING AND COMMU-
6 NICATIONS.—In the case”;

7 (D) in the fourth sentence—

8 (i) by striking “In the case” and in-
9 serting the following:

10 “(C) INTERCONNECTION.—In the case”;

11 and

12 (ii) by striking “paragraph (15)” and
13 inserting “paragraph (15) of section
14 111(d)”;

15 (E) in the fifth sentence, by striking “In
16 the case” and inserting the following:

17 “(D) INTEGRATED RESOURCE PLANNING,
18 RATE DESIGN MODIFICATIONS, SMART GRID IN-
19 VESTMENTS, SMART GRID INFORMATION.—In
20 the case”; and

21 (F) by adding at the end the following:

22 “(E) PLUG-IN ELECTRIC DRIVE VEHICLE
23 PLANNING.—In the case of the standards estab-
24 lished by paragraph (20) of section 111(d), the
25 reference contained in this subsection to the

1 date of enactment of this Act shall be deemed
2 to be a reference to the date of enactment of
3 that paragraph.”; and

4 (3) in section 112(d) (16 U.S.C. 2622(d)), in
5 the matter preceding paragraph (1), by striking
6 “(19)” and inserting “(20)”.

7 (b) REPORT.—

8 (1) IN GENERAL.—The Secretary, in consulta-
9 tion with the Technical Advisory Committee, shall
10 convene a group of utility stakeholders, charging in-
11 frastructure providers, third party aggregators, and
12 others, as appropriate, to discuss and determine the
13 potential models for the technically and logistically
14 challenging issues involved in using electricity as a
15 fuel for vehicles, including—

16 (A) accommodation for billing for charging
17 a plug-in electric drive vehicle, both at home
18 and at publicly available charging infrastruc-
19 ture;

20 (B) plans for anticipating vehicle to grid
21 applications that will allow batteries in cars as
22 well as banks of batteries to be used for grid
23 storage, ancillary services provision, and backup
24 power;

1 (C) integration of plug-in electric drive ve-
 2 hicles with smart grid, including protocols and
 3 standards, necessary equipment, and informa-
 4 tion technology systems; and

5 (D) any other barriers to installing suffi-
 6 cient and appropriate charging infrastructure.

7 (2) REPORT.—Not later than 2 years after the
 8 date of enactment of this Act and biennially there-
 9 after, the Secretary shall submit to the appropriate
 10 committees of Congress a report that includes—

11 (A) the issues and model solutions de-
 12 scribed in paragraph (1); and

13 (B) any other issues that the Task Force
 14 and Secretary determine to be appropriate.

15 **SEC. 2032. LOAN GUARANTEES.**

16 (a) LOAN GUARANTEES FOR ADVANCED BATTERY
 17 PURCHASES FOR USE IN STATIONARY APPLICATIONS.—
 18 Subtitle B of title I of the Energy Independence and Secu-
 19 rity Act of 2007 (42 U.S.C. 17011 et seq.) is amended
 20 by adding at the end the following:

21 **“SEC. 137. LOAN GUARANTEES FOR ADVANCED BATTERY**
 22 **PURCHASES.**

23 **“(a) DEFINITIONS.—**In this section:

1 “(1) QUALIFIED AUTOMOTIVE BATTERY.—The
2 term ‘qualified automotive battery’ means a battery
3 that—

4 “(A) has at least 4 kilowatt hours of bat-
5 tery capacity; and

6 “(B) is designed for use in qualified plug-
7 in electric drive motor vehicles but is purchased
8 for nonautomotive applications.

9 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
10 tity’ means—

11 “(A) an original equipment manufacturer;

12 “(B) an electric utility;

13 “(C) any provider of range extension infra-
14 structure; or

15 “(D) any other qualified entity, as deter-
16 mined by the Secretary.

17 “(b) LOAN GUARANTEES.—

18 “(1) IN GENERAL.—The Secretary shall guar-
19 antee loans made to eligible entities for the aggre-
20 gate purchase of not less than 200 qualified auto-
21 motive batteries in a calendar year that have a total
22 minimum power rating of 1 megawatt and use ad-
23 vanced battery technology.

24 “(2) RESTRICTION.—As a condition of receiving
25 a loan guarantee under this section, an entity pur-

1 chasing qualified automotive batteries with loan
 2 funds guaranteed under this section shall comply
 3 with the provisions of the Buy American Act (41
 4 U.S.C. 10a et seq.).

5 “(c) REGULATIONS.—The Secretary shall promulgate
 6 such regulations as are necessary to carry out this section.

7 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
 8 is authorized to be appropriated to carry out this section
 9 \$50,000,000.”.

10 (b) LOAN GUARANTEES FOR CHARGING INFRA-
 11 STRUCTURE.—Section 1705(a) of the Energy Policy Act
 12 of 2005 (42 U.S.C. 16516(a)) is amended by adding at
 13 the end the following:

14 “(4) Charging infrastructure and networks of
 15 charging infrastructure for plug-in drive electric ve-
 16 hicles, if the charging infrastructure will be oper-
 17 ational prior to December 31, 2016.”.

18 **SEC. 2033. PROHIBITION ON DISPOSING OF ADVANCED BAT-**
 19 **TERIES IN LANDFILLS.**

20 (a) DEFINITION OF ADVANCED BATTERY.—

21 (1) IN GENERAL.—In this section, the term
 22 “advanced battery” means a battery that is a sec-
 23 ondary (rechargeable) electrochemical energy storage
 24 device that has enhanced energy capacity.

1 (2) EXCLUSIONS.—The term “advanced bat-
2 tery” does not include—

3 (A) a primary (nonrechargeable) battery;
4 or

5 (B) a lead-acid battery that is used to
6 start or serve as the principal electrical power
7 source for a plug-in electric drive vehicle.

8 (b) REQUIREMENT.—An advanced battery from a
9 plug-in electric drive vehicle shall be disposed of in accord-
10 ance with the Solid Waste Disposal Act (42 U.S.C. 6901
11 et seq.) (commonly known as the “Resource Conservation
12 and Recovery Act of 1976”).

13 **SEC. 2034. PLUG-IN ELECTRIC DRIVE VEHICLE TECHNICAL**
14 **ADVISORY COMMITTEE.**

15 (a) IN GENERAL.—There is established the Plug-in
16 Electric Drive Vehicle Technical Advisory Committee to
17 advise the Secretary on the programs and activities under
18 this title.

19 (b) MISSION.—The mission of the Committee shall
20 be to advise the Secretary on technical matters, includ-
21 ing—

22 (1) the priorities for research and development;
23 (2) means of accelerating the deployment of
24 safe, economical, and efficient plug-in electric drive
25 vehicles for mass market adoption;

1 (3) the development and deployment of charg-
2 ing infrastructure;

3 (4) the development of uniform codes, stand-
4 ards, and safety protocols for plug-in electric drive
5 vehicles and charging infrastructure; and

6 (5) reporting on the competitiveness of the
7 United States in plug-in electric drive vehicle and in-
8 frastructure research, manufacturing, and deploy-
9 ment.

10 (c) MEMBERSHIP.—

11 (1) MEMBERS.—

12 (A) IN GENERAL.—The Committee shall
13 consist of not less than 12, but not more than
14 25, members.

15 (B) REPRESENTATION.—The Secretary
16 shall appoint the members to Committee from
17 among representatives of—

18 (i) domestic industry;

19 (ii) institutions of higher education;

20 (iii) professional societies;

21 (iv) Federal, State, and local govern-
22 mental agencies (including the National
23 Laboratories); and

24 (v) financial, transportation, labor, en-
25 vironmental, electric utility, or other ap-

1 appropriate organizations or individuals with
2 direct experience in deploying and mar-
3 keting plug-in electric drive vehicles, as the
4 Secretary determines to be necessary.

5 (2) TERMS.—

6 (A) IN GENERAL.—The term of a Com-
7 mittee member shall not be longer than 3 years.

8 (B) STAGGERED TERMS.—The Secretary
9 may appoint members to the Committee for dif-
10 fering term lengths to ensure continuity in the
11 functioning of the Committee.

12 (C) REAPPOINTMENTS.—A member of the
13 Committee whose term is expiring may be re-
14 appointed.

15 (3) CHAIRPERSON.—The Committee shall have
16 a chairperson, who shall be elected by and from the
17 members.

18 (d) REVIEW.—The Committee shall review and make
19 recommendations to the Secretary on the implementation
20 of programs and activities under this title.

21 (e) RESPONSE.—

22 (1) IN GENERAL.—The Secretary shall consider
23 and may adopt any recommendation of the Com-
24 mittee under subsection (c).

25 (2) BIENNIAL REPORT.—

1 (A) IN GENERAL.—Not later than 2 years
2 after the date of enactment of this Act and
3 every 2 years thereafter, the Secretary shall
4 submit to the appropriate committees of Con-
5 gress a report describing any new recommenda-
6 tions of the Committee.

7 (B) CONTENTS.—The report shall in-
8 clude—

9 (i) a description of the manner in
10 which the Secretary has implemented or
11 plans to implement the recommendations
12 of the Committee; or

13 (ii) an explanation of the reason that
14 a recommendation of the Committee has
15 not been implemented.

16 (C) TIMING.—The report described in this
17 paragraph shall be submitted by the Secretary
18 at the same time the President submits the
19 budget proposal for the Department of Energy
20 to Congress.

21 (f) COORDINATION.—The Committee shall—

22 (1) hold joint annual meetings with the Hydro-
23 gen and Fuel Cell Technical Advisory Committee es-
24 tablished by section 807 of the Energy Policy Act of

1 2005 (42 U.S.C. 16156) to help coordinate the work
2 and recommendations of the Committees; and

3 (2) coordinate efforts, to the maximum extent
4 practicable, with all existing independent, depart-
5 mental, and other advisory Committees, as deter-
6 mined to be appropriate by the Secretary.

7 (g) SUPPORT.—The Secretary shall provide to the
8 Committee the resources necessary to carry out this sec-
9 tion, as determined to be necessary by the Secretary.

10 **SEC. 2035. PLUG-IN ELECTRIC DRIVE VEHICLE INTER-**
11 **AGENCY TASK FORCE.**

12 (a) IN GENERAL.—Not later than 120 days after the
13 date of enactment of this Act, the President shall establish
14 the Plug-in Electric Drive Vehicle Interagency Task
15 Force, to be chaired by the Secretary and which shall con-
16 sist of at least 1 representative from each of—

17 (1) the Office of Science and Technology Policy;

18 (2) the Council on Environmental Quality;

19 (3) the Department of Energy;

20 (4) the Department of Transportation;

21 (5) the Department of Defense;

22 (6) the Department of Commerce (including the
23 National Institute of Standards and Technology);

24 (7) the Environmental Protection Agency;

25 (8) the General Services Administration; and

1 (9) any other Federal agencies that the Presi-
2 dent determines to be appropriate.

3 (b) MISSION.—The mission of the Task Force shall
4 be to ensure awareness, coordination, and integration of
5 the activities of the Federal Government relating to plug-
6 in electric drive vehicles, including—

7 (1) plug-in electric drive vehicle research and
8 development (including necessary components);

9 (2) the development of widely accepted smart-
10 grid standards and protocols for charging infrastruc-
11 ture;

12 (3) the relationship of plug-in electric drive ve-
13 hicle charging practices to electric utility regulation;

14 (4) the relationship of plug-in electric drive ve-
15 hicle deployment to system reliability and security;

16 (5) the general deployment of plug-in electric
17 drive vehicles in the Federal, State, and local gov-
18 ernments and for private use;

19 (6) the development of uniform codes, stand-
20 ards, and safety protocols for plug-in electric drive
21 vehicles and charging infrastructure; and

22 (7) the alignment of international plug-in elec-
23 tric drive vehicle standards.

24 (c) ACTIVITIES.—

1 (1) IN GENERAL.—In carrying out this section,
2 the Task Force may—

3 (A) organize workshops and conferences;

4 (B) issue publications; and

5 (C) create databases.

6 (2) MANDATORY ACTIVITIES.—In carrying out
7 this section, the Task Force shall—

8 (A) foster the exchange of generic, non-
9 proprietary information and technology among
10 industry, academia, and the Federal Govern-
11 ment;

12 (B) integrate and disseminate technical
13 and other information made available as a re-
14 sult of the programs and activities under this
15 title;

16 (C) support education about plug-in elec-
17 tric drive vehicles;

18 (D) monitor, analyze, and report on the ef-
19 fects of plug-in electric drive vehicle deployment
20 on the environment and public health, including
21 air emissions from vehicles and electricity gen-
22 erating units; and

23 (E) review and report on—

24 (i) opportunities to use Federal pro-
25 grams (including laws, regulations, and

1 guidelines) to promote the deployment of
 2 plug-in electric drive vehicles; and

3 (ii) any barriers to the deployment of
 4 plug-in electric drive vehicles, including
 5 barriers that are attributable to Federal
 6 programs (including laws, regulations, and
 7 guidelines).

8 (d) AGENCY COOPERATION.—A Federal agency—

9 (1) shall cooperate with the Task Force; and

10 (2) provide, on request of the Task Force, ap-
 11 propriate assistance in carrying out this section, in
 12 accordance with applicable Federal laws (including
 13 regulations).

14 **TITLE III—OIL SPILL LIABILITY** 15 **TRUST FUND**

16 **SEC. 3001. MODIFICATIONS WITH RESPECT TO OIL SPILL** 17 **LIABILITY TRUST FUND.**

18 (a) INCREASE IN OIL SPILL LIABILITY TRUST FUND
 19 FINANCING RATE.—Subparagraph (B) of section
 20 4611(c)(2) of the Internal Revenue Code of 1986 is
 21 amended to read as follows:

22 “(B) the Oil Spill Liability Trust Fund fi-
 23 nancing rate is 21 cents a barrel.”.

24 (b) EFFECTIVE DATE.—The amendment made by
 25 this section shall apply to crude oil received and petroleum

- 1 products entered during calendar quarters beginning more
- 2 than 60 days after the date of the enactment of this Act.

Calendar No. 577

11TH CONGRESS
2^D Session

S. 3815

A BILL

To amend the Internal Revenue Code of 1986 to reduce oil consumption and improve energy security, and for other purposes.

SEPTEMBER 22, 2010

Read the second time and placed on the calendar