



State of Wisconsin
2021 - 2022 LEGISLATURE

LRBs0294/1
EVM&KP:amn

**SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 663**

January 13, 2022 - Offered by Senator COWLES.

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

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

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

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

5 1. "Charging facility" means electric vehicle charging equipment, including
6 Level 1, Level 2, and fast charging equipment and analogous successor technologies.

7 2. "Electric provider" has the meaning given in s. 16.957 (1) (f).

8 3. "Eligible applicant" means a business, an electric provider that has entered
9 into an agreement under par. (b), or the owner of a multiunit dwelling.

10 (b) An electric provider may apply for a grant under par. (e) 1. a. if it provides
11 with its application an agreement in writing with a business that has a place of

1 business located along a clean energy corridor designated under par. (d). The
2 agreement shall provide that the business will host a charging facility owned by the
3 electric provider for which the electric provider will provide maintenance and be
4 liable for all costs related to the facility.

5 (c) The department shall establish and administer a charging facility grant
6 program.

7 (d) The department of administration, in consultation with the department of
8 transportation and the public service commission, shall designate one or more clean
9 energy corridors consisting of contiguous state trunk highways connecting this state
10 to Minnesota, Michigan, Iowa, and Illinois. In designating these corridors, the
11 department of administration shall attempt to do all of the following:

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

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

16 3. Designate heavily traveled highways.

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

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

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

24 2. The department of administration, in consultation with the department of
25 transportation and public service commission, may establish criteria for awarding

1 grants under this paragraph. The department of administration shall provide an
2 opportunity for public comment before the criteria is implemented for any criteria
3 proposed for establishment by the department of administration under this
4 subdivision.

5 3. Notwithstanding subd. 2., the department shall do all of the following in
6 awarding grants under this paragraph:

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

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

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

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

16 5. The department may award multiple grants under this paragraph to a single
17 eligible applicant.

18 6. The awarding of grants under this paragraph does not confer any ownership
19 interest to the department or the state in charging facilities that are installed under
20 the grants. An eligible applicant that is awarded a grant is responsible for the
21 operation and maintenance of a charging facility installed under the grant.

22 7. The department may not award more than a total of \$10,000,000 in grants
23 under this paragraph. Not less than \$5,000,000 of the total amount shall be awarded
24 under subd. 1. a. and not less than \$3,000,0000 of the total amount shall be awarded
25 under subd. 1. b.

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

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

7 2. All of the following apply:

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

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

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

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

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

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

1 20.855 (4) (h) *Volkswagen settlement funds*. All moneys received from the
2 trustee of the settlement funds, as defined in s. 16.047 (1) (a), for the replacement of
3 vehicles in the state fleet under s. 16.047 (2) and for the grants under s. 16.047 (4m),
4 (4p), and (4s). No moneys may be expended from this appropriation after June 30,
5 2027.

6 **SECTION 3. Nonstatutory provisions.**

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

8 Not later than the first day of the 25th month beginning after the effective date of
9 this subsection, the department of administration shall prepare a report describing
10 potential methods of ensuring an equitable contribution by drivers of electric
11 passenger motor vehicles, as compared to drivers of other passenger motor vehicles,
12 to the costs of constructing and maintaining state highways and providing local
13 transportation aids. The report shall consider the past growth of electric motor
14 vehicle registrations and the projected growth over the next decade. The report shall
15 consider the potential of utility revenue assessments of electric vehicle charging
16 facilities to replace revenues from motor vehicle fuel taxes. The department of
17 administration shall consult with the department of transportation; the public
18 service commission; public utilities; proprietors of, or organizations representing
19 proprietors of, gas stations, restaurants, and retail stores; and other stakeholders in
20 preparing the report. The department of administration shall submit the report to
21 the appropriate standing committees of the legislature under s. 13.172 (3) having
22 jurisdiction over matters relating to energy and transportation.

23 **(END)**