

## Calendar No. 577

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> 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-

1 hicles, charging infrastructure, and serv-  
2 ices in the deployment community;

3 (v) assurances that a majority of the  
4 vehicle deployments anticipated in the plan  
5 will be personal vehicles authorized to trav-  
6 el on the United States Federal-aid system  
7 of highways, and secondarily, private or  
8 public sector plug-in electric drive fleet ve-  
9 hicles, but may also include—

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

12 (II) low speed plug-in electric  
13 drive vehicles that meet Federal  
14 Motor Vehicle Safety Standards de-  
15 scribed in section 571.500 of title 49,  
16 Code of Federal Regulations; and

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

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

23 (4) COMMUNITY DEPLOYMENT PLANS.—Plans  
24 for the deployment of plug-in electric drive vehicles  
25 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       priation.

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.

1           “(C) COST RECOVERY.—Each State regu-  
2           latory authority (in the case of each electric  
3           utility for which the authority has ratemaking  
4           authority) and each municipal and cooperative  
5           utility may consider whether, and to what ex-  
6           tent, to allow cost recovery for plans and imple-  
7           mentation of plans.

8           “(D) DETERMINATION.—Not later than 3  
9           years after the date of enactment of this para-  
10          graph, each State regulatory authority (with re-  
11          spect to each electric utility for which the au-  
12          thority has ratemaking authority), and each  
13          municipal and cooperative electric utility, shall  
14          complete the consideration, and shall make the  
15          determination, referred to in subsection (a) with  
16          respect to the standard established by this  
17          paragraph.”;

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

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

21                 “(1) IN GENERAL.—Each State”;

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

24                 “(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

11<sup>TH</sup> CONGRESS  
2<sup>D</sup> 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