

SENATE No. 2151

The Commonwealth of Massachusetts

PRESENTED BY:

Brendan P. Crighton

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act promoting zero-emission vehicles.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/26/2021</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/2/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>3/3/2021</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>3/5/2021</i>

SENATE No. 2151

By Mr. Crighton, a petition (accompanied by bill, Senate, No. 2151) of Brendan P. Crighton, Jack Patrick Lewis, James B. Eldridge, Joanne M. Comerford and others for legislation to promote zero-emission vehicles. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act promoting zero-emission vehicles.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1: Chapter 6C of the General Laws, as appearing in the 2018 edition, is hereby
2 amended by inserting after section 57A the following section:-

3 Section 57B:

4 (1) Notwithstanding any general or special law to the contrary, upon registration or
5 change of registration, the registrar of motor vehicles is authorized and directed to disclose upon
6 request the type of vehicle and address of a registered owner for electric vehicles to a distribution
7 company or municipal light plant if the registered address is within the relevant service territory.
8 The information shall be simultaneously disclosed to the department of public utilities and
9 department of energy resources.

10 (2) Every quarter, a distribution company or municipal lighting plant, or its agent, may
11 request the type of vehicle and address of each electric vehicle newly registered within their
12 service territory. Under penalty of perjury, this information may only be used for the purposes of

13 identifying where an electric vehicle is registered and provision of information on programs for
14 electric vehicle owners.

15 (3) Within 15 days of receiving residence address information from the department
16 pursuant to this section, a distribution company or municipal lighting plant shall provide a clear,
17 express disclosure to the electric vehicle owner that his or her residence address information is
18 permitted by law to be shared with the distribution company or municipal lighting plant. The
19 disclosure shall not contain marketing information or a solicitation for the purchase of goods or
20 services, but may contain information on electricity tariffs and energy management programs.

21 (4) Confidential home address and type of vehicle information of electric vehicle owners
22 disclosed pursuant to this section shall only be used for the purpose of identifying where an
23 electric vehicle is registered and the provision of information on programs for electric vehicle
24 owners and shall not be used or disclosed for any other purpose, including for purposes of
25 identifying the individual or individuals residing at the address, or to any other person.

26 (5) The distribution company or municipal lighting plant, and its agents, shall not sell,
27 share, or further disclose, including to any subsidiaries, the residence address or type of vehicle
28 information of electric vehicle owners obtained pursuant to this paragraph, or name information
29 determined by matching residence information against the corporation or utility's customer
30 records.

31 SECTION 2. Not later than six months after the effective date of this act, distribution
32 companies, as defined in section 1 of chapter 164 of the general laws, shall submit to the
33 department of public utilities for approval proposals to offer a time-of-use rate, defined for the
34 purposes of this section as a rate designed to reflect the cost of providing electricity to a

35 consumer charging an electric vehicle at an electric vehicle charging station at different times of
36 the day. Such proposals shall not include additional demand charges. Such proposals shall
37 include a separate opt-in residential time-of-use rate for electric vehicle owners or lessees. For
38 department approval, such proposals shall encourage energy conservation, optimal and efficient
39 use of a distribution company's facilities and resources, benefits to transmission and distribution
40 systems, equitable rates for electric consumers, and greenhouse gas emissions reductions. Such
41 proposals shall ensure equitable participation by all electric vehicle owners and lessees.

42 SECTION 3: Section 95 of chapter 142 of the session laws of 2019 is hereby amended by
43 striking out the date "2021" in the first sentence and inserting in place thereof: "2023" and by
44 striking out the phrase "and not more than \$5,000"; and provided further that the department
45 shall establish a new low- and moderate-income point-of-sale rebate for new and used battery
46 electric, fuel cell, and plug-in hybrid vehicles.

47 SECTION 4: The commissioner of the department of energy resources is hereby
48 authorized and directed to apportion proceeds from: (1) monies generated by all market-based
49 compliance mechanism emission control programs, including, but not limited to, the cap and
50 trade program established under the NOx Allowance Trading Program and the carbon dioxide
51 allowance trading mechanism established under the Regional Greenhouse Gas Initiative, as
52 defined in subsection (a) of section 22 of chapter 164, or the Transportation and Climate
53 Initiative; (2) amounts from alternative compliance payments established and administered under
54 225 CMR 14.00 adopted under section 11F; and (3) other funds as determined by the department
55 of energy resources to establish a grant program providing rebates to consumers to defray the
56 expense of the purchase or lease of a zero-emissions vehicle, or to continue and expand the
57 Massachusetts Offers Rebates for Electric Vehicles program, referred to hereafter as the MOR-

58 EV program, after December 31, 2023. When initiating any new electric vehicle incentive
59 program, including new programs and policies within MOR-EV, the department of energy
60 resources shall: (i) provide equitable access to all Massachusetts residents, including by offering
61 programs that target electric vehicle adoption in low-income and environmental justice
62 populations; (ii) prioritize affordability for low-income populations and prioritize geographic
63 equity by targeting incentives to rural communities; (iii) coordinate with vehicle dealerships to
64 offer a direct point-of-sale rebate for both new and used electric vehicle purchases; and (iv)
65 ensure that information about the program and its benefits are provided in a readily accessible
66 manner to all, including non-English speaking communities. The department shall consult with a
67 diverse range of stakeholders to inform the design of any such electric vehicle incentive
68 program, including low-income and environmental justice populations and organizations
69 representing their interests.

70 SECTION 5. Not later than six months after the effective date of this act, the department
71 of energy resources shall publish a guide to assist cities and towns to develop programs that
72 allow residents unable to install off-street electric vehicle charging stations to install curbside
73 electric vehicle charging stations proximate to their residences.

74 SECTION 6. Not later than 6 months after the effective date of this act, the department of
75 energy resources and department of transportation shall file a report with the joint committee on
76 transportation identifying state routes, U.S. routes, and interstate highways in Massachusetts that
77 are high priority for public electric vehicle charging station installation. Determinations of
78 priority shall be based on locations with high levels of air pollution in close proximity to
79 transportation infrastructure, locations in close proximity to environmental justice populations,
80 high total traffic volume on the route, volume of trips on the route that exceed 50 miles,

81 importance of the route for accessing employment centers, tourist attractions, and other frequent
82 destinations, and other factors as detailed in the report. The report shall consider locations across
83 the commonwealth, including within municipal light plant territories, and assess the benefit and
84 potential cost savings to ratepayers for potential locations.

85 SECTION 7. Section 2 of Chapter 90 of the General Laws, as appearing in the 2018
86 edition, is hereby amended by inserting, in line 433, after the words “section seven D.”, the
87 following words:-

88 The registrar shall issue, without additional registration fees, distinctive license plates for
89 plug-in electric vehicles upon their initial registration with the registry or upon the renewal of
90 their registration if a plug-in electric vehicle does not yet have said license plate.

91 SECTION 8. Section 3 of chapter 448 of the session laws of 2016 is hereby amended by
92 striking out, in lines 3 and 4, the words “may include requirements for electric vehicle charging
93 for residential and appropriate commercial” and inserting in place thereof the following words:-
94 shall include requirements for electric vehicle charging for commercial and appropriate
95 residential.

96 SECTION 9. Section 94 of chapter 143 of the General Laws, as so appearing, is hereby
97 amended by adding the following two subsections:-

98 (s) In consultation with the department of energy resources, to adopt and fully integrate
99 into the state building code requirements that new construction of commercial and residential
100 buildings, as well as major reconstruction, renovation and repair of such buildings, include
101 building electrical service and conduit systems sufficient to support the minimum number of
102 electric vehicle parking spaces; provided, however, that for buildings with ten or more parking

103 spaces the minimum number of electric vehicle-ready parking spaces shall be at least ten percent
104 of the total number of parking spaces and the minimum number of parking spaces wired to be
105 electric vehicle-capable shall be at least ninety percent of the total number of parking spaces;
106 provided further that for buildings with two or more electric vehicle parking spaces, at least one
107 electric vehicle-ready parking space or five percent of the total number of electric vehicle
108 parking spaces shall be handicapped accessible, whichever is greater. For the purposes of this
109 section, “electric vehicle” shall mean a battery electric vehicle that draws propulsion energy
110 solely from an on-board electrical energy storage device during operation that is charged from an
111 external source of electricity or a plug-in hybrid electric vehicle with an on-board electrical
112 energy storage device that can be recharged from an external source of electricity which also has
113 the capability to run on another fuel.

114 (t) In consultation with the department of energy resources, to adopt and fully integrate
115 into the state building code requirements that new construction of parking facilities with ten or
116 more parking spaces, as well as major reconstruction, renovation and repair of such facilities,
117 include building electrical service and conduit systems sufficient to support the minimum
118 number of electric vehicle-ready parking spaces; provided, however, that the minimum number
119 of electric vehicle-ready parking spaces shall be at least ten percent of the total number of
120 parking spaces and the minimum number of parking spaces wired to be electric vehicle-capable
121 shall be at least ninety percent of the total number of parking spaces; and provided further that
122 for facilities with two or more electric vehicle parking spaces, at least one electric vehicle-ready
123 parking space or five percent of the total number of electric vehicle parking spaces shall be
124 handicapped accessible, whichever is greater.