

1 A bill to be entitled
2 An act relating to electric vehicles; amending s.
3 316.003, F.S.; revising definitions; authorizing the
4 Department of Transportation to adopt rules; amending
5 s. 334.046, F.S.; revising the department's goals
6 relating to mobility; creating s. 339.0802, F.S.;
7 requiring that certain funds be used for specified
8 purposes relating to the Electric Vehicle
9 Infrastructure Grant Program, beginning in specified
10 years; providing for future repeal of the requirement;
11 creating s. 339.286, F.S.; requiring the department to
12 establish the Electric Vehicle Infrastructure Grant
13 Program; providing the purpose of the program;
14 providing for the distribution of grants to certain
15 entities to install electric vehicle charging
16 infrastructure; providing grant requirements;
17 providing requirements for equipment installed using
18 grant funds; providing criteria for the distribution
19 of grants; requiring that the department continually
20 review emerging research, policies, and standards;
21 authorizing the department to develop a model plan for
22 local governments; requiring the department to adopt
23 rules; creating s. 339.287, F.S.; defining the term
24 "master plan for electric vehicle charging stations"
25 or "master plan"; requiring the department, in

26 | coordination with the Office of Energy within the
 27 | Department of Agriculture and Consumer Services and
 28 | the Florida Clean Cities Coalitions, or other
 29 | appropriate entities, to develop and adopt by a
 30 | specified date a master plan for electric vehicle
 31 | charging stations on the State Highway System and
 32 | within each county; specifying goals and objectives of
 33 | the master plan; requiring the master plan to be
 34 | updated annually by a specified date; amending s.
 35 | 366.94, F.S.; specifying that certain rules adopted by
 36 | the Department of Agriculture and Consumer Services
 37 | may not require specific methods of sale for electric
 38 | vehicle charging equipment and services provided in
 39 | this state; providing an appropriation; providing
 40 | effective dates.

41 |
 42 | Be It Enacted by the Legislature of the State of Florida:

43 |
 44 | Section 1. Subsections (2) and (55) of section 316.003,
 45 | Florida Statutes, are amended to read:

46 | 316.003 Definitions.—The following words and phrases, when
 47 | used in this chapter, shall have the meanings respectively
 48 | ascribed to them in this section, except where the context
 49 | otherwise requires:

50 | (2) AUTOCYCLE.—A three-wheeled motorcycle that has two

51 wheels in the front and one wheel in the back; is equipped with
 52 a roll cage or roll hoops, a seat belt for each occupant,
 53 antilock brakes that meet the requirements of Federal Motor
 54 Vehicle Safety Standard No. 122, a steering mechanism ~~wheel~~, and
 55 seating that does not require the operator to straddle or sit
 56 astride it; and is manufactured in accordance with the
 57 applicable federal motorcycle safety standards in 49 C.F.R. part
 58 571 by a manufacturer registered with the National Highway
 59 Traffic Safety Administration.

60 (55) PERSONAL DELIVERY DEVICE.—An electrically powered
 61 device that:

62 (a) Is operated on sidewalks and crosswalks and intended
 63 primarily for transporting property;

64 (b) Has a weight that does not exceed the maximum weight
 65 established by Department of Transportation rule ~~weighs less~~
 66 ~~than 80 pounds, excluding cargo;~~

67 (c) Has a maximum speed of 10 miles per hour or, if the
 68 Department of Transportation establishes by rule a maximum
 69 speed, has a speed that does not exceed that maximum; and

70 (d) Is equipped with technology to allow for operation of
 71 the device with or without the active control or monitoring of a
 72 natural person.

73
 74 A personal delivery device is not considered a vehicle unless
 75 expressly defined by law as a vehicle. A mobile carrier is not

76 | considered a personal delivery device. The Department of
 77 | Transportation may adopt rules to implement this subsection.

78 | Section 2. Paragraph (c) of subsection (4) of section
 79 | 334.046, Florida Statutes, is amended to read:

80 | 334.046 Department mission, goals, and objectives.—

81 | (4) At a minimum, the department's goals shall address the
 82 | following prevailing principles.

83 | (c) *Mobility*.—Ensuring a cost-effective, statewide,
 84 | interconnected transportation system. Improvement of travel
 85 | choices to ensure mobility includes planning and establishment
 86 | of infrastructure for innovative technologies, including
 87 | electric vehicle charging infrastructure.

88 | Section 3. Effective upon HB 1221 or other similar
 89 | legislation being enacted in the 2020 Regular Session or an
 90 | extension thereof and becoming a law, section 339.0802, Florida
 91 | Statutes, is created to read:

92 | 339.0802 Allocation of increased license tax revenues from
 93 | licensure of electric and hybrid vehicles.—Funds that result
 94 | from increased revenues to the State Transportation Trust Fund
 95 | derived under s. 320.08001(2), (3), and (4) must be used as set
 96 | forth in this section, notwithstanding any other provision of
 97 | law.

98 | (1) Beginning in the 2020-2021 fiscal year, and annually
 99 | for 4 years thereafter, all increased revenues must be used to
 100 | fund the Electric Vehicle Infrastructure Grant Program.

101 (2) Beginning in the 2025-2026 fiscal year, and annually
 102 for 4 years thereafter, half of the increased revenues must be
 103 used to fund the Electric Vehicle Infrastructure Grant Program.

104 (3) This section expires on July 1, 2030.

105 Section 4. Section 339.286, Florida Statutes, is created
 106 to read:

107 339.286 Electric Vehicle Infrastructure Grant Program.—

108 (1) The department shall establish the Electric Vehicle
 109 Infrastructure Grant Program. The purpose of the program is to
 110 provide financial assistance to encourage the installation of
 111 electric vehicle charging infrastructure.

112 (2) State agencies, public universities, public transit
 113 agencies, ports, airports, and local governments, including
 114 local housing authorities and libraries, may apply to the
 115 department for grants for the purpose of installing publicly
 116 available electric vehicle charging infrastructure on public or
 117 private property.

118 (3) A grant may be awarded for:

119 (a) Technical assistance for the development and adoption
 120 of:

121 1. A local or regional plan that establishes an electric
 122 vehicle charging infrastructure;

123 2. Any action plans necessary to address any
 124 infrastructure gaps; and

125 3. Steps necessary to complete the infrastructure plan.

126
127 A plan must address actions to deploy the necessary
128 infrastructure in high-density housing areas and low-income to
129 moderate-income areas.

130 (b) Assistance with the purchase of related equipment and
131 the costs of installation of that equipment to provide electric
132 vehicle charging. Such equipment must be available to the
133 public, must be capable of collecting and reporting data, and
134 must use standard connectors.

135 (4) (a) An applicant may apply for a grant for both
136 technical assistance and equipment purchase and installation. A
137 grant for technical assistance requires a minimum match of funds
138 from the applicant in the amount of 30 percent of the grant
139 award, but such match is not required for an applicant that is
140 located in a fiscally constrained county. A grant for equipment
141 purchase and installation requires a minimum match of funds from
142 the applicant in the amount of 60 percent of the total project
143 cost for Level 2 charging infrastructure or 20 percent of the
144 total project cost for direct-current, fast-charging
145 infrastructure. The matching funds must be from nonstate
146 resources but may include private funds provided through a
147 partnership with a private entity or in-kind contributions such
148 as the donation of equipment, services, or land or use of land
149 for establishment of the electric vehicle charging
150 infrastructure. Grant funds may not subsidize the cost for the

151 use of electricity. Twenty percent of the funds available under
152 this program shall be reserved for applicants or projects in
153 fiscally constrained counties.

154 (b) The department shall maintain a prioritized list of
155 approved grant applications. The prioritized list must include
156 recommended funding levels for each application and, if staged
157 implementation is appropriate, provide funding requirements for
158 each stage. Grants must be prioritized based on the extent to
159 which the activities of the grant will encourage growth in the
160 use of electric vehicles and increase the availability of
161 charging stations along evacuation routes. A grant for equipment
162 purchase and installation that will immediately and most
163 effectively serve those who currently own or operate electric
164 vehicles may receive priority. An applicant may engage a
165 private-sector entity to install electric vehicle charging
166 infrastructure on private property in the applicant's county or
167 local jurisdiction.

168 (5) The department shall continually review emerging
169 research, policies, and standards related to electric vehicle
170 infrastructure. Using such information, the department shall
171 publish best practices for the establishment of electric vehicle
172 charging infrastructure, model infrastructure plan development
173 and components, and other significant information for the
174 implementation and use of electric vehicle charging
175 infrastructure. The department may develop a model plan that

176 local governments may use as a guide to establish an electric
177 vehicle charging infrastructure plan.

178 (6) The department shall adopt rules to administer this
179 section.

180 Section 5. Section 339.287, Florida Statutes, is created
181 to read:

182 339.287 Electric vehicle charging stations; master plan
183 requirements.-

184 (1) As used in this section, the term "master plan for
185 electric vehicle charging stations" or "master plan" means a
186 comprehensive plan of the department which describes current and
187 future plans for the development of electric vehicle charging
188 stations on the State Highway System and within each county.

189 (2) The department, in coordination with the Office of
190 Energy within the Department of Agriculture and Consumer
191 Services and the Florida Clean Cities Coalitions designated by
192 the United States Department of Energy, or other appropriate
193 public or private entities, shall develop and adopt a master
194 plan for electric vehicle charging stations on the State Highway
195 System and within each county by July 1, 2021.

196 (3) The goals and objectives of the master plan include,
197 but are not limited to:

198 (a) Identifying optimal areas on the State Highway System
199 and within each county for the development of electric vehicle
200 charging stations as a means of facilitating electric vehicle

201 short-range and long-range travel and adequately serving
202 evacuation routes in this state.

203 (b) Identifying locations that would serve existing
204 electric vehicles or encourage the expansion of electric vehicle
205 use in this state.

206 (c) Evaluating and comparing the types of electric vehicle
207 charging stations available at present and in the future,
208 including the technology and infrastructure incorporated in such
209 stations, for the purpose of identifying any advantages to
210 developing a particular type of station.

211 (d) Evaluating the economic potential for electric vehicle
212 charging stations in this state and considering strategies to
213 develop that potential, including, but not limited to, methods
214 of building partnerships with electric vehicle charging station
215 providers, local governments, other state and federal entities,
216 electric utilities, the business community, and the public in
217 support of electric vehicle charging stations.

218 (e) Identifying specific projects that will accomplish the
219 goals and objectives of this section.

220 (4) After its adoption, the master plan shall be updated
221 annually by July 1.

222 Section 6. Section 366.94, Florida Statutes, is amended to
223 read:

224 366.94 Electric vehicle charging stations.—

225 (1) The provision of electric vehicle charging to the

226 public by a nonutility is not the retail sale of electricity for
 227 the purposes of this chapter. The rates, terms, and conditions
 228 of electric vehicle charging services by a nonutility are not
 229 subject to regulation under this chapter. This section does not
 230 affect the ability of individuals, businesses, or governmental
 231 entities to acquire, install, or use an electric vehicle charger
 232 for their own vehicles.

233 (2) The Department of Agriculture and Consumer Services
 234 shall adopt rules to provide definitions, methods of sale,
 235 labeling requirements, and price-posting requirements for
 236 electric vehicle charging stations to allow for consistency for
 237 consumers and the industry. Rules implemented under this
 238 subsection may not require specific methods of sale for electric
 239 vehicle charging equipment and services provided in this state.

240 (3) (a) ~~It is unlawful for~~ A person may not ~~to~~ stop, stand,
 241 or park a vehicle that is not capable of using an electrical
 242 recharging station within a ~~any~~ parking space specifically
 243 designated for charging an electric vehicle.

244 (b) If a law enforcement officer or specialist finds a
 245 motor vehicle in violation of this subsection, the officer or
 246 specialist shall charge the operator or other person in charge
 247 of the vehicle in violation with a noncriminal traffic
 248 infraction, punishable as provided in s. 316.008(4) or s.
 249 318.18.

250 Section 7. For the 2020-2021 fiscal year, the sum of \$5

251 million in nonrecurring funds is appropriated from the State
252 Transportation Trust Fund to the Department of Transportation
253 for the purpose of implementing the Electric Vehicle
254 Infrastructure Grant Program established pursuant to s. 339.286,
255 Florida Statutes.

256 Section 8. Except as otherwise expressly provided in this
257 act, this act shall take effect July 1, 2020.