

By Senator Simon

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1 A bill to be entitled
2 An act relating to electric vehicle infrastructure;
3 amending s. 366.94, F.S.; requiring the Public Service
4 Commission to adopt rules for electric vehicle
5 charging stations which meet certain requirements;
6 providing a timeline for the proposal and adoption of
7 such rules; prohibiting a public utility from using
8 rate base investment for certain purposes; requiring
9 the commission to adopt rules which meet certain
10 requirements for the orderly transition of existing
11 public utility investments; providing a timeline for
12 the proposal and adoption of such rules; providing an
13 effective date.

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15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. Section 366.94, Florida Statutes, is amended to
18 read:

19 366.94 Electric vehicle charging stations; rate structure.—

20 (1) PROVISION BY A NONUTILITY.—The provision of electric
21 vehicle charging to the public by a nonutility is not the retail
22 sale of electricity for the purposes of this chapter. The rates,
23 terms, and conditions of electric vehicle charging services by a
24 nonutility are not subject to regulation under this chapter.
25 This section does not affect the ability of individuals,
26 businesses, or governmental entities to acquire, install, or use
27 an electric vehicle charger for their own vehicles.

28 (2) RULES.—

29 (a) The Department of Agriculture and Consumer Services

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30 shall adopt rules to provide definitions, methods of sale,
31 labeling requirements, and price-posting requirements for
32 electric vehicle charging stations to allow for consistency for
33 consumers and the industry.

34 (b) The commission shall adopt rules for electric vehicle
35 charging stations to facilitate the widespread deployment of
36 electric vehicle charging infrastructure. The rules must ensure
37 consumer choice and competition, provide for reasonable and
38 affordable cost-based electric rates for public utility rate
39 payers, and be competitively neutral and apply to public
40 utilities offering electric vehicle charging station services to
41 the public. The commission shall propose such rules by January
42 1, 2024, with final rule adoption required by January 1, 2025.

43 (c) A public utility may not use rate base investment in
44 the ownership and operation of electric vehicle charging
45 stations. Public utility cost recovery is limited to
46 distribution-level system infrastructure that does not include
47 electric vehicle charging stations. The commission shall adopt
48 rules for the orderly transition, without adverse impacts, of
49 existing public utility investments in public utility
50 infrastructure used for electric vehicle charging stations
51 offered to the public to a structurally separate subsidiary to
52 utility rate payers. The commission shall propose such rules by
53 January 1, 2024, with final rule adoption required by January 1,
54 2025.

55 (3) PROHIBITIONS.—

56 (a) ~~It is unlawful for~~ A person may not ~~to~~ stop, stand, or
57 park a vehicle that is not capable of using an electrical
58 recharging station within any parking space specifically

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59 designated for charging an electric vehicle.

60 (b) If a law enforcement officer finds a motor vehicle in
61 violation of this subsection, the officer or specialist shall
62 charge the operator or other person in charge of the vehicle in
63 violation with a noncriminal traffic infraction, punishable as
64 provided in s. 316.008(4) or s. 318.18.

65 Section 2. This act shall take effect July 1, 2023.