

**A05052 Text:**

**STATE OF NEW YORK**

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5052--C

2023-2024 Regular Sessions

**IN ASSEMBLY**

February 27, 2023

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Introduced by M. of A. WOERNER, McDONALD,  
GUNTHER, STIRPE, HUNTER,  
THIELE, GLICK, STERN, JACOBSON, MAGNARELLI,  
BENDETT, K. BROWN,

CUNNINGHAM, FAHY, DURSO, GANDOLFO -- Multi-  
Sponsored by -- M. of A.

SIMON -- read once and referred to the  
Committee on Corporations,

Authorities and Commissions -- committee  
discharged, bill amended,

ordered reprinted as amended and recommitted to  
said committee --

reported and referred to the Committee on Ways  
and Means -- committee

discharged, bill amended, ordered reprinted as  
amended and recommitted

to said committee -- again reported from said  
committee with amend-

ments, ordered reprinted as amended and  
recommitted to said committee

AN ACT to amend the public authorities law, in  
relation to conducting a

highway and depot charging needs evaluation

The People of the State of New York, represented  
in Senate and Assembly,  
do enact as follows:

1 Section 1. Legislative findings. In order to  
achieve targets set forth  
2 by the climate leadership and community  
protection act, zero-emissions  
3 vehicle sales target and regulations, including the  
advanced clean truck  
4 and advanced clean cars II rules, zero-emissions  
school bus mandate, and  
5 other relevant goals, the interests of the people  
of the state would be  
6 served by:  
7 1. Coordinating efforts to plan for electric  
vehicle fast-charging  
8 deployment on New York's highways;  
9 2. Identifying priority sites for the  
deployment of fast chargers  
10 along New York's highways, estimating future  
charging demand at these  
11 sites for all vehicle classes, and identifying  
necessary electric grid  
12 transmission and distribution infrastructure  
and interconnection  
13 upgrades at these sites;  
14 3. Expediting electric grid transmission and  
distribution infrastruc-  
15 ture and interconnection upgrades at sites  
controlled by the New York  
16 state thruway authority, sufficient to future-proof  
thruway sites for

EXPLANATION--Matter in italics (underscored) is  
new; matter in brackets

[-] is old law to be omitted.

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1 accelerated fast charger deployment to serve light  
duty, medium duty and

2 heavy duty vehicles; and  
3 4. Identifying additional high priority areas  
for the deployment of  
4 charging for medium and heavy duty vehicles, such  
as school buses, tran-  
5 sit buses, and other light, medium and heavy  
duty commercial fleet  
6 depots, including taxi and ride-share vehicle  
fleets, and removing  
7 barriers to charging deployment, including  
electric infrastructure  
8 constraints.

9 5. Identifying additional priority areas for  
deployment of charging  
10 infrastructure designed to support building of  
charging in densely popu-  
11 lated urban areas where access to charging is  
currently or may be limit-  
12 ed.

13 § 2. The public authorities law is amended by  
adding a new section  
14 1885 to read as follows:

15 § 1885. Highway and depot charging needs  
evaluation. 1. Within nine  
16 months of the effective date of this section, and  
every three years  
17 thereafter, the authority, in consultation with the  
department of trans-  
18 portation, the department of motor vehicles, the  
New York state thruway  
19 authority, the New York power authority, the Long  
Island power authori-  
20 ty, the department of environmental conservation,  
the electric distrib-  
21 ution and local transmission utilities, the New  
York Association for  
22 Pupil Transportation, and freight logistics  
experts shall conduct a  
23 needs evaluation to:  
24 (a) consider planning by the department of  
transportation for fast  
25 charger deployment along alternative fuel  
corridors and major freight  
26 corridors;

27 (b) identify the number and location of fast  
28 chargers along priority  
29 highway corridors and major freight corridors,  
30 including fast chargers  
31 currently in operation and in development;  
32 (c) estimate future need for fast charger  
33 deployment along priority  
34 highway and major freight corridors for the  
35 purposes of (i) facilitating  
36 the cost-effective and timely achievement of  
37 mandates under (1) article  
38 seventy-five of the environmental conservation  
39 law, (2) section  
40 19-0306-b of the environmental conservation law  
41 regarding zero-emissions  
42 vehicle sales targets, (3) rules and  
43 regulations for zero-emissions  
44 vehicles adopted by the commissioner of  
45 environmental conservation, and  
46 (4) other relevant and applicable federal and state  
47 rules or regulations  
48 or local goals to reduce transportation  
49 sector emissions; and (ii)  
50 supporting electric vehicle adoption by consumers  
51 and fleet operators;  
52 (d) identify the number and location of highway  
53 charging hubs, includ-  
54 ing but not limited to thruway charging hubs and  
55 freight charging hubs,  
56 currently in operation and in development along  
57 priority highway and  
58 major freight corridors;  
59 (e) estimate total charging capacity required to  
60 serve light duty,  
61 medium duty, and heavy duty electric vehicles  
62 at each highway and  
63 freight charging hub through at least the year two  
64 thousand fifty;  
65 (f) identify, to the extent practicable, the  
66 number and location of  
67 commercial and public fleet vehicles in operation,  
68 including their body  
69 type, fuel type, model year, zip code, and other  
70 relevant information

50 needed to forecast the number and location of  
51 zero-emissions vehicles,  
52 per state policy;  
53 (g) identify the number and location of fleet  
54 charging zones;  
55 (h) estimate future need for charging deployment  
and charging capacity  
in the fleet charging zones, sufficient to satisfy  
the targets and regu-  
lations identified in paragraph (c) of this  
subdivision;

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1 (i) examine ways to optimize fast charger  
2 deployment among the highway  
3 charging hubs, the freight charging hubs, and  
4 all such charging hubs,  
5 and charging development among the fleet charging  
6 zones to reduce the  
7 cost of interconnection, if deemed necessary, and  
8 electric distribution  
9 and local transmission upgrades while serving  
10 projected vehicle traffic  
11 volumes;

12 (j) analyze and asses the total potential costs  
13 associated with any  
14 identified need;

15 (k) analyze and assess federal or state funding  
16 opportunities to mini-  
17 mize such costs to rate payers; and

18 (l) identify the number and location of critical  
19 public charging sites  
20 and estimate future need for charging deployment  
21 and charging capacity  
22 for critical public charging sites.

23 2. The authority shall develop a stakeholder  
24 engagement process to  
25 raise consumer awareness and education across  
26 the state and solicit  
27 feedback from the public, local government,  
28 representatives or residents  
29 of environmental justice or disadvantaged  
30 communities, electric vehicle

18 manufacturers, electric vehicle supply equipment  
19 manufacturers, fleet  
20 operators, school district transportation directors  
21 and others on the  
22 highway and depot charging needs evaluation. To  
23 the extent practicable  
24 and consistent with applicable timelines, the  
25 authority may coordinate  
26 the highway and depot charging needs evaluation  
27 stakeholder input proc-  
28 ess with the process set forth in section eighteen  
29 hundred eighty-four  
30 of this article.

31 3. The needs evaluation shall be made  
32 publicly available on the  
33 authority's website.

34 4. When conducting the needs evaluation, the  
35 following locations shall  
36 be considered for designation as highway and/or  
37 freight charging hubs:

38 (a) All thruway charging hubs.  
39 (b) Additional sites or geographic areas based on  
40 (i) eligibility for  
41 federal, state, or other funding opportunities,  
42 including but not limit-  
43 ed to needs identified through the NEVI formula  
44 program planning proc-  
45 ess, (ii) proximity to electric transmission  
46 infrastructure, (iii)  
47 projected vehicle traffic, (iv) charging network  
48 coverage, (v) inter-  
49 state and intrastate commerce, (vi) benefits to  
50 environmental justice  
51 and disadvantaged communities, (vii) benefits  
52 of increased charging  
53 accessibility in host communities, (viii) real  
54 property ownership or  
55 control of potential sites, (ix) relevant  
56 commitments from site and/or  
57 charging operators, and (x) other factors deemed  
58 relevant for the devel-  
59 opment and successful implementation of the highway  
60 charging needs eval-  
61 uation.

42 (c) Locations within one mile of the priority  
highway corridors,

43 spaced no more than fifty miles apart along the  
priority highway corri-

44 dors and reasonably accessible regardless of  
direction of travel.

45 (d) Privately operated sites which are open to  
the public or multiple

46 commercial entities as eligible for designation  
as a highway charging

47 hub or freight charging hub, subject to reasonable  
restrictions.

48 (e) A single highway or freight charging hub  
comprised of multiple

49 charging service areas within a reasonable distance  
from one another.

50 5. When conducting the needs evaluation, the  
following geographic area

51 criteria shall be considered when determining  
designations as fleet

52 charging zones:

53 (a) total number of commercial and public fleet  
vehicles in operation

54 and/or total number of fleet operators in the  
geographic area,

55 (b) projected vehicle traffic in the geographic  
area,

56 (c) benefits to public fleets, such as school bus  
operators,

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1 (d) benefits to environmental justice and  
disadvantaged communities,

2 (e) relevant commitments from fleet and/or site  
operators to install

3 charging equipment,

4 (f) available capacity on the electric  
distribution and local trans-

5 mission network to serve vehicle chargers,

6 (g) ensuring equitable coverage and access to  
fleet charging through-

7 out the state, and

8 (h) sites where private or public fleet vehicles  
are regularly parked,

9 maintained, or otherwise dispatched for service,  
10 including school bus  
11 garages.

12 6. As used in this section, the following terms  
13 shall have the follow-

14 ing meanings:

15 (a) "Alternative fuel corridors" shall mean  
16 highways designated within  
17 the state pursuant to the national electric  
18 vehicle infrastructure  
19 formula program under 23 U.S.C. 151 and previously  
20 designated under the  
21 federal Fixing America's Surface Transportation Act  
22 of 2015.

23 (b) "Charging needs evaluation" shall mean the  
24 highway and depot  
25 charging needs evaluation.

26 (c) "Critical public charging site" shall mean a  
27 priority site for the  
28 deployment of charging infrastructure designed  
29 to support buildout of  
30 charging in densely populated urban areas where  
31 access to charging may  
32 be limited.

33 (d) "Fast charger" shall mean a direct current  
34 electric vehicle charg-  
35 ing port which can charge at a level of at least  
36 one hundred fifty kilo-  
37 watts.

38 (e) "Fleet charging zone" shall mean a  
39 priority geographic area for  
40 the deployment of charging infrastructure for  
41 public and commercial  
42 fleet operators or owners, including school bus  
43 fleets, taxi and ride-  
44 share vehicle fleets.

45 (f) "Freight charging hub" shall mean a priority  
46 site for the deploy-  
47 ment of large scale, fast charging  
48 infrastructure, which has minimum  
49 station power capability at or above six hundred  
50 kilowatts and supports  
51 at least one hundred fifty kilowatts per port  
52 simultaneously across four



34 ports for charging. These sites may include highway  
charging hubs.

35 (g) "Highway and depot charging needs evaluation"  
shall mean the needs

36 evaluation developed pursuant to subdivision two of  
this section.

37 (h) "Highway charging hub" shall mean a priority  
site for the deploy-

38 ment of large scale, fast charging infrastructure,  
which has minimum

39 station power capability at or above six hundred  
kilowatts and supports

40 at least one hundred fifty kilowatts per port  
simultaneously across four

41 ports for charging. These sites shall include but  
are not limited to

42 thruway charging hubs.

43 (i) "Major freight corridor" shall mean segments  
of the freight trans-

44 portation network identified by the federal  
highway administration that

45 carry more than fifty million tons per year,  
including highway segments

46 that carry at least eight thousand five hundred  
trucks per day, addi-

47 tional highway segments and parallel rail lines  
that together carry at

48 least eight thousand five hundred truck,  
trailer-on-flatcar, and

49 container-on-flatcar payloads of typically high-  
value, time sensitive

50 cargo, and rail lines and waterways that carry  
fifty million tons in

51 bulk cargo per year.

52 (j) "NEVI" shall mean the national electric  
vehicle infrastructure

53 program established under the federal  
Infrastructure Investment and Jobs

54 Act of 2021.

55 (k) "Priority highway corridor" shall mean  
alternative fuel corridors

56 and other state and county highways identified in  
the charging needs

1 evaluation as appropriate to ensure sufficient  
and equitable charging

2 access throughout the state.

3 (1) "Thruway charging hubs" shall mean all  
highway service areas

4 controlled, leased, owned, or operated by the New  
York state thruway

5 authority.

6 § 3. This act shall take effect immediately.