

ELECTRIC VEHICLE CHARGING STATION LICENSURE

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<http://www.house.mi.gov/hfa>

House Bill 4806 as introduced

Sponsor: Rep. Andrea K. Schroeder

Committee: Energy Policy

Complete to 10-22-19

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4806 would require the Michigan Public Service Commission to establish a licensing procedure for electric vehicle charging station operators, allow such operators to sell electricity at a profit, and define terms.

The bill would amend 1939 PA 3, which provides for the regulation of public and private utilities and is the enabling act for the Michigan Public Service Commission (MPSC). The bill would do all of the following:

- Prohibit a person from engaging in the business of an *electric vehicle charging station operator* unless the person obtains and maintains a license issued by MPSC.
- Require MPSC to issue orders establishing a licensing procedure for electric vehicle charging station operators.
- Allow an electric vehicle charging station operator to sell the electricity at a profit.
- Require electric vehicle charging station operators to do all of the following:
 - Maintain an office in Michigan.
 - Have financial, managerial, and technical capabilities that MPSC considers necessary.
 - Maintain records that MPSC considers necessary.
 - Remain accessible to MPSC, to consumers, and to electric utilities in the state.
 - Collect and remit all applicable taxes.
- Require applicants for an electric vehicle charging station operator license to meet conditions currently required of alternative electric supplier applicants concerning the applicant's safety record and technical ability to safely and reliably generate or obtain and deliver electricity and other proposed services as well as demonstrate that the employees who will install, operate, and maintain the electric vehicle charging stations have the knowledge and competence to perform those functions in a safe and responsible manner.
- Require an applicant to post a bond or provide a letter of credit or other financial guarantee of at least \$40,000 if, after investigation and review, MPSC finds that requiring a bond would be in the public interest.
- Specify that a provision that restricts owning, constructing, or operating an electric distribution facility or electric meter equipment used in the distribution of electricity only to an investor-owned, cooperative, or municipally owned electric utility would not prohibit an electric vehicle charging station operator from owning, constructing, or operating an electric vehicle charging station.
- Include the regulation of electric vehicle charging station operators in the title of the act.

Electric vehicle charging station operator would mean a retail seller of electricity that is used solely to operate an ***electric vehicle charging station***.

Electric vehicle charging station would mean an electric component assembly or cluster of component assemblies designed specifically to charge batteries within an ***electric vehicle*** by permitting the transfer of electric energy to a battery or other storage device in an electric vehicle.

Electric vehicle would mean a motor vehicle powered solely by a battery cell energy system.

In addition, the bill would revise the definition of the term ***electric utility***. Currently, it means that term as defined in the Electric Transmission Line Certification Act. The bill would include a definition that is substantially the same as that in the Electric Transmission Line Certification Act, but with the addition of “an electric vehicle charging station operator” as an entity that is not an electric utility.

Finally, the bill would exclude an electric vehicle charging station operator from the definition of “alternative electric supplier.”

MCL 460.10g, 460.10h, and 460.10q

FISCAL IMPACT:

House Bill 4806 would have an indeterminate fiscal impact on the Public Service Commission within the Department of Licensing and Regulatory Affairs. The bill may entail a slight increase in administrative responsibilities for the Public Service Commission, but depending on licensing volumes, existing staff and resources may be sufficient to implement the bill.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.