

**SUBSTITUTE FOR
HOUSE BILL NO. 4801**

A bill to regulate persons that provide electric vehicle charging services; to require registration of certain persons that provide electric vehicle charging services; and to prescribe the powers and duties of certain state officers and entities.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "electric vehicle charging services registration act".

3 Sec. 2. As used in this act:

4 (a) "Department" means the department of agriculture and rural
5 development.

6 (b) "Electric vehicle" means that term as defined in section
7 2(f) (iii) of the Michigan next energy authority act, 2002 PA 593, MCL
8 207.822.

1 (c) "Electric vehicle charging device" means an electric
2 component assembly or cluster of component assemblies designed
3 specifically to charge batteries within an electric vehicle by
4 permitting the transfer of electric energy to a battery or other
5 storage device in an electric vehicle.

6 (d) "Electric vehicle charging services" means the transfer of
7 electric energy from electric vehicle service equipment to a
8 battery or other storage device in an electric vehicle and the
9 provision of billing services, networking, and operation and
10 maintenance related to that transfer of electric energy to an
11 electric vehicle.

12 Sec. 3. (1) The department shall allow a person that provides
13 electric vehicle charging services to charge for providing electric
14 vehicle charging services.

15 (2) Subject to subsection (8), the department shall issue
16 orders establishing a registration procedure for persons that
17 provide electric vehicle charging services. Subject to subsections
18 (5) and (8), any person offering electric vehicle charging services
19 in this state must register with the department within 30 days
20 after the person first begins offering electric vehicle charging
21 services in this state. As part of a person's registration, the
22 department shall require that the person offering electric vehicle
23 charging services does all of the following:

24 (a) Provides the name of the company that will be providing
25 electric vehicle charging services.

26 (b) Provides the location of each of that person's electric
27 vehicle charging devices in this state and the number of electric
28 vehicle charging devices.

29 (c) Provides the name, email address, phone number, and

1 mailing address of a designated contact individual.

2 (d) Provides the electric vehicle charging device model
3 information, including name of manufacturer, electric vehicle
4 supply equipment type, and additional information regarding the
5 charging device as determined by the department.

6 (3) The department shall charge a 1-time fee of not more than
7 \$75.00 for each charging device. Any fees collected under this
8 subsection must be deposited in the electric vehicle services fund
9 created in section 4.

10 (4) A person that provides electric vehicle charging services
11 shall do all of the following:

12 (a) Maintain records that the department considers necessary,
13 including, but not limited to, the number of hours each electrical
14 vehicle charging device is fully operational and capable of
15 charging an electric vehicle and, if not, the reasons why the
16 person's electric vehicle charging device is not functioning.

17 (b) Remain accessible to the department, to consumers, and to
18 electric utilities in this state during normal hours of operation.

19 (c) Clearly display the cost to the consumer at the electric
20 vehicle charging device. This subdivision does not prohibit a
21 person that provides electric vehicle charging services from
22 displaying other information to the customer or the means by which
23 the cost information is displayed, including, but not limited to,
24 within the electric vehicle or on a mobile application.

25 (5) A person providing electric vehicle charging services
26 before the effective date of this act must register with the
27 department within 90 days after the department establishes a
28 registration under subsection (2). The department shall record the
29 site of the electric charging vehicle services on the alternative

1 fuels data center.

2 (6) A person registered under subsection (2) shall update
3 their registration by notifying the department, in a manner
4 determined by the department, within 30 days after any of the
5 information required in subsection (2) has changed.

6 (7) The department shall use the motor fuels quality hotline
7 or a similar hotline and an online consumer complaint form to allow
8 consumers to report issues with electric vehicle charging devices.

9 (8) This section does not apply to any of the following:

10 (a) A private owner of an electric vehicle charging device or
11 a nonretail provider of an electric vehicle charging device if the
12 electric vehicle charging device is not publicly accessible.

13 (b) An electric utility.

14 (c) A municipally owned electric utility.

15 (d) A cooperative electric utility.

16 (e) An independent transmission owner.

17 (9) The department may promulgate rules under the
18 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
19 24.328, necessary to implement and enforce this act.

20 Sec. 4. (1) The electric vehicle services fund is created in
21 the state treasury.

22 (2) The state treasurer may receive money or other assets from
23 any source for deposit into the fund. The state treasurer shall
24 direct the investment of the fund. The state treasurer shall credit
25 to the fund interest and earnings from fund investments.

26 (3) Money in the fund at the close of the fiscal year remains
27 in the fund and does not lapse to the general fund.

28 (4) The department shall expend money from the fund, upon
29 appropriation, to implement this act.

1 Enacting section 1. This act does not take effect unless House
2 Bill No. 4802 of the 101st Legislature is enacted into law.