

SENATE BILL NO. 406

August 20, 2019, Introduced by Senators MCMORROW, LASATA, GEISS, ALEXANDER, ANANICH, BULLOCK, POLEHANKI, IRWIN, WOJNO and BRINKS and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1951 PA 51, entitled

"An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety

purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,"

(MCL 247.651 to 247.675) by adding sections 11a and 11b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 **Sec. 11a. (1) The Michigan electric vehicle infrastructure**
- 2 **council is created within the department.**
- 3 **(2) The Michigan electric vehicle infrastructure council shall**
- 4 **consist of 9 voting members appointed by the governor who are**
- 5 **experts in areas including, but not limited to, economic**
- 6 **development, energy, transportation, infrastructure, utility**

1 operation, independent transmission company operation, investor
2 owned utility operation, and the environment. The Michigan electric
3 vehicle infrastructure council shall also consist of all of the
4 following nonvoting members appointed by the governor:

5 (a) One member representing the public service commission.

6 (b) One member representing the department.

7 (c) One member representing the Michigan economic development
8 corporation.

9 (d) One member representing the department of environmental
10 quality.

11 (e) One member representing the Michigan agency for energy.

12 (f) The chairperson of the Michigan council on future mobility
13 or his or her designee.

14 (g) The chairperson of the Michigan infrastructure council or
15 his or her designee.

16 (3) If a vacancy occurs on the Michigan electric vehicle
17 infrastructure council, the governor shall make an appointment for
18 the unexpired term in the same manner as the original appointment.

19 (4) The chairperson may remove a member of the Michigan
20 electric vehicle infrastructure council for incompetence,
21 dereliction of duty, malfeasance during his or her tenure in
22 office, or any other good cause.

23 (5) At the first meeting, the Michigan electric vehicle
24 infrastructure council shall select from among its Michigan
25 electric vehicle infrastructure council members a chairperson.

26 (6) A majority of the voting members of the Michigan electric
27 vehicle infrastructure council and a majority of the nonvoting
28 members of the Michigan electric vehicle infrastructure council
29 constitute a quorum for the transaction of business at a meeting of

1 the Michigan electric vehicle infrastructure council. An
2 affirmative vote of a majority of the voting members present and
3 serving is required for official action of the Michigan electric
4 vehicle infrastructure council.

5 (7) The business that the Michigan electric vehicle
6 infrastructure council may perform shall be conducted at a public
7 meeting of the Michigan electric vehicle infrastructure council
8 held in compliance with the open meetings act, 1976 PA 267, MCL
9 15.261 to 15.275.

10 (8) A writing prepared, owned, used, in the possession of, or
11 retained by the Michigan electric vehicle infrastructure council in
12 the performance of an official function is subject to the freedom
13 of information act, 1976 PA 442, MCL 15.231 to 15.246.

14 (9) Members of the Michigan electric vehicle infrastructure
15 council shall serve without compensation. However, members of the
16 Michigan electric vehicle infrastructure council may be reimbursed
17 for their actual and necessary expenses incurred in the performance
18 of their official duties as members of the Michigan electric
19 vehicle infrastructure council.

20 (10) The Michigan electric vehicle infrastructure council
21 shall do all of the following:

22 (a) In conformance with the statewide fast charging
23 optimization map study, recommend an action plan to include
24 electric vehicle charging stations, to reduce barriers to electric
25 vehicle adoption, and to facilitate the successful integration of
26 electric vehicles into this state's transportation network.

27 (b) Assist in developing and coordinating statewide standards
28 for streamlined permitting and installation of residential and
29 commercial electric vehicle charging stations.

1 (c) Develop a recommendation for a statewide electric vehicle
2 charging infrastructure plan, including placement opportunities for
3 public charging stations.

4 (d) Increase consumer awareness and demand for electric
5 vehicles through public outreach.

6 (e) Make recommendations regarding monetary and nonmonetary
7 incentives to support electric vehicle ownership and maximize
8 private sector investment in electric vehicles.

9 (f) Develop targeted policies to support fleet purchases of
10 electric vehicles.

11 (g) Recommend charging policies for existing and future
12 multidwelling units.

13 (h) Encourage local and regional efforts to promote the use of
14 electric vehicles and attract federal funding for state and local
15 electric vehicle programs.

16 (i) Recommend the integration of policies that support
17 electric vehicle charging from clean energy sources when available
18 and appropriate.

19 (j) Recommend a method of displaying pricing information at
20 public electric vehicle charging stations.

21 (k) Establish performance measures for meeting electric
22 vehicle-related employment, infrastructure, and regulatory goals.

23 (l) Recommend funding methods, including, but not limited to,
24 coordinating with the department of environmental quality and the
25 Michigan agency for energy on the spending of money received by
26 this state from the environmental mitigation trust established as
27 part of the first and second partial consent decrees entered in *In*
28 *re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and*
29 *Products Liability Litigation*, MDL No. 2672 CRB (JSC), to ensure

1 that all opportunities to support the electrification of
2 transportation are maximized.

3 (m) Make distributions from the future mobility fund as
4 provided in section 11b.

5 (n) Assist in the development of building codes and standards
6 that will streamline the construction of electric vehicle charging
7 stations and reduce installation costs.

8 (o) Develop an ongoing data sharing mechanism with other state
9 agencies that provide electric vehicle registration data that will
10 be shared, on an ongoing basis, with appropriate stakeholders and
11 the public to better understand developments in the electric
12 vehicle market and implications to the electric grid.

13 (p) Pursue other goals and objectives that promote the use of
14 electric vehicles in this state.

15 (11) No later than 1 year after the effective date of the
16 amendatory act that added this section, the Michigan electric
17 vehicle infrastructure council shall submit an interim report of
18 its work and recommendations to the governor and the legislature.

19 (12) No later than 18 months after the effective date of the
20 amendatory act that added this section, the Michigan electric
21 vehicle infrastructure council shall submit a final report of its
22 work and recommendations to the governor and the legislature. The
23 Michigan electric vehicle infrastructure council is dissolved 3
24 years after the effective date of the amendatory act that added
25 this section.

26 (13) The governor shall appoint the members of the Michigan
27 electric vehicle infrastructure within 90 days of the effective
28 date of the amendatory act that added this section.

29 (14) In developing plans, recommendations, policies,

standards, and measures under subsection (10), the Michigan electric vehicle infrastructure council shall avoid duplication of effort and use current information and research to the greatest extent possible.

(15) The Michigan electric vehicle infrastructure council does not have legislative authority or the authority to create mandates for public and private utilities.

(16) As used in this section, "electric vehicle" means a mode of electric drive transportation that is not operated on rails.

Sec. 11b. (1) The future mobility fund is created within the state treasury.

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

(3) Money in the future mobility fund at the close of the fiscal year shall remain in the future mobility fund and shall not lapse to the general fund.

(4) The state transportation department shall be the administrator of the future mobility fund for auditing purposes.

(5) The Michigan electric vehicle infrastructure council shall expend money from the future mobility fund, upon appropriation, only for 1 or more of the following purposes:

(a) Tracking existing electric vehicle chargers and planning for future placement and usage.

(b) Electric vehicle infrastructure education and marketing.