

Legislative Analysis



ELECTRIC VEHICLE CHARGING SERVICES

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

House Bill 4706 (H-1) as reported from committee
Sponsor: Rep. Sharon MacDonell
Committee: Transportation, Mobility and Infrastructure
Complete to 6-21-23

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

(Enacted as Public Act 245 of 2023)

SUMMARY:

House Bill 4706 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.

The bill would exclude a provider of *electric vehicle charging services* from the definition of alternative electric supplier for purposes of the act. An entity that provides electric vehicle charging services would not be a public utility under the act and could not be prohibited from charging for electric vehicle charging services on a volumetric basis, including charging a volumetric rate for electricity transferred to the battery or other storage device. An entity that is a public utility that engages in the sale of electric vehicle charging services would remain subject to regulation under the act and would not be exempt from that regulation due solely to the provision of electric vehicle charging services.

Electric vehicle charging services would mean the transfer of electric energy from electric vehicle service equipment to a battery or other storage device in an electric vehicle (defined as a motor vehicle powered solely by a battery cell energy system), and the provision of billing services, networking, and operation and maintenance related to that transfer of electric energy to an electric vehicle.

Finally, the bill would stipulate that a provision that restricts owning, constructing, or operating electric distribution facilities or electric meter equipment used in the distribution of electricity only to investor-owned, cooperative, or municipally owned electric utilities does not prohibit an entity that provides electric vehicle charging services from owning, constructing, or operating 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 in an electric vehicle by permitting the transfer of electric energy to a battery or other storage device in an electric vehicle

MCL 460.10g, 460.10h, and 460.10q

FISCAL IMPACT:

House Bill 4706 would not have a fiscal impact on the Public Service Commission within the Department of Licensing and Regulatory Affairs.

POSITIONS:

Representatives of the following organizations testified in support of the bill (6-13-23):

- MICHAuto
- Michigan EIBC

The following entities indicated support for the bill:

- Clean Fuels Michigan (6-13-23)
- Ecology Center (6-13-23)
- Michigan Conservation Energy Forum (6-13-23)
- Michigan Environmental Council (6-13-23)
- Natural Resources Defense Council (6-13-23)
- Sierra Club (6-13-23)
- Tesla (6-13-23)
- General Motors (6-20-23)

ITC indicated a neutral position on the bill. (6-13-23)

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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.