

117TH CONGRESS  
1ST SESSION

# H. R. 1221

To increase deployment of electric vehicle charging infrastructure in low-income communities and communities of color, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 23, 2021

Ms. CLARKE of New York (for herself, Mr. BLUMENAUER, Ms. NORTON, Mr. GRIJALVA, Ms. BARRAGÁN, Ms. PINGREE, Mr. WELCH, Mr. CARSON, Mr. CLEAVER, Mr. JONES, Ms. MOORE of Wisconsin, Mr. SIRES, Ms. VELÁZQUEZ, Mr. HASTINGS, Ms. SPEIER, Mrs. WATSON COLEMAN, Mr. THOMPSON of Mississippi, Mr. CARBAJAL, Mr. RYAN, Mr. POCAN, Ms. MENG, Ms. WATERS, Mr. RASKIN, and Ms. MATSUI) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To increase deployment of electric vehicle charging infrastructure in low-income communities and communities of color, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Electric Vehicles for  
5 Underserved Communities Act of 2021”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) The transportation sector is the largest sin-  
4 gle source of greenhouse gas emissions in the United  
5 States.

6 (2) The transportation sector is also a major  
7 source of air pollution in the United States, includ-  
8 ing over 55 percent of total nitrogen oxide emissions,  
9 leading to poor air quality and negative health im-  
10 pacts, particularly in urban areas.

11 (3) Increasing the deployment of electric vehi-  
12 cles and electric vehicle charging infrastructure is an  
13 essential component of combating climate change,  
14 decarbonizing the economy, and reducing greenhouse  
15 gas emissions and health-harming air pollution in  
16 the United States.

17 (4) Industries relating to electric vehicles, elec-  
18 tric vehicle charging infrastructure, and the larger  
19 clean energy economy are substantial and diverse  
20 sources of good jobs and significant contributors to  
21 economic growth.

22 (5) A substantial increase in electric vehicle  
23 charging infrastructure, including publicly accessible  
24 charging stations, will ensure that our communities  
25 are ready to meet the demands of expected electric  
26 vehicle adoption as we decarbonize our economy.

(6) Low-income communities, communities of color, and Tribal communities bear disproportionate climate change and pollution burdens, yet have historically received the least investment in clean technologies and resilient infrastructure. Therefore, such communities must be among the first to receive investment relating to new technologies and infrastructure that address the climate crisis and mitigate localized environmental pollution.

**SEC. 3. EXPANDING ACCESS TO ELECTRIC VEHICLES IN UNDERSERVED AND DISADVANTAGED COMMUNITIES.**

(a) IN GENERAL.—

(1) ASSESSMENT.—The Secretary shall conduct an assessment of the state of, challenges to, and opportunities for the deployment of electric vehicle charging infrastructure in underserved or disadvantaged communities located throughout the United States.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Sen-

1       ate a report on the results of the assessment con-  
2       ducted under paragraph (1), which shall—

3               (A) describe the state of deployment of  
4       electric vehicle charging infrastructure in un-  
5       derserved or disadvantaged communities located  
6       in urban, suburban, and rural areas, including  
7       description of—

8               (i) the state of deployment of electric  
9       vehicle charging infrastructure that is—

10              (I) publicly accessible;

11              (II) installed in or available to  
12       occupants of public and affordable  
13       housing;

14              (III) installed in or available to  
15       occupants of multi-unit dwellings;

16              (IV) available to public sector  
17       and commercial fleets; and

18              (V) installed in or available at  
19       places of work;

20              (ii) policies, plans, and programs that  
21       cities, States, utilities, and private entities  
22       are using to encourage greater deployment  
23       and usage of electric vehicles and the asso-  
24       ciated electric vehicle charging infrastruc-  
25       ture, including programs to encourage de-

1           ployment of publicly accessible electric ve-  
2           hicle charging stations and electric vehicle  
3           charging stations available to residents in  
4           publicly owned and privately owned multi-  
5           unit dwellings;

6           (iii) ownership models for Level 2  
7           charging stations and DC FAST charging  
8           stations located in residential multi-unit  
9           dwellings, commercial buildings, and pub-  
10          licly accessible areas;

11          (iv) mechanisms for financing electric  
12          vehicle charging stations; and

13          (v) rates charged for the use of Level  
14          2 charging stations and DC FAST charg-  
15          ing stations;

16          (B) identify current barriers to expanding  
17          deployment of electric vehicle charging infra-  
18          structure in underserved or disadvantaged com-  
19          munities in urban, suburban, and rural areas,  
20          including barriers to expanding deployment of  
21          publicly accessible electric vehicle charging in-  
22          frastructure;

23          (C) identify the potential for, and barriers  
24          to, recruiting and entering into contracts with  
25          locally owned small and disadvantaged busi-

1           nesses, including women and minority-owned  
2           businesses, to deploy electric vehicle charging  
3           infrastructure in underserved or disadvantaged  
4           communities in urban, suburban, and rural  
5           areas;

6           (D) compile and provide an analysis of  
7           best practices and policies used by State and  
8           local governments, nonprofit organizations, and  
9           private entities to increase deployment of elec-  
10          tric vehicle charging infrastructure in under-  
11          served or disadvantaged communities in urban,  
12          suburban, and rural areas, including best prac-  
13          tices and policies relating to—

14                 (i) public outreach and engagement;

15                 (ii) increasing deployment of publicly  
16                 accessible electric vehicle charging infra-  
17                 structure; and

18                 (iii) increasing deployment of electric  
19                 vehicle charging infrastructure in publicly  
20                 owned and privately owned multi-unit  
21                 dwellings;

22           (E) to the extent practicable, enumerate  
23           and identify in urban, suburban, and rural  
24           areas within each State with detail at the level  
25           of ZIP Codes and census tracts—

1 (i) the number of existing and  
2 planned publicly accessible Level 2 charg-  
3 ing stations and DC FAST charging sta-  
4 tions for individually owned light-duty and  
5 medium-duty electric vehicles;

6 (ii) the number of existing and  
7 planned Level 2 charging stations and DC  
8 FAST charging stations for public sector  
9 and commercial fleet electric vehicles and  
10 medium- and heavy-duty electric vehicles;  
11 and

12 (iii) the number and type of electric  
13 vehicle charging stations installed in or  
14 available to occupants of public and afford-  
15 able housing; and

16 (F) describe the methodology used to ob-  
17 tain the information provided in the report.

18 (b) FIVE-YEAR UPDATE ASSESSMENT.—Not later  
19 than 5 years after the date of the enactment of this Act,  
20 the Secretary shall—

21 (1) update the assessment conducted under  
22 subsection (a)(1); and

23 (2) make public and submit to the Committee  
24 on Energy and Commerce of the House of Rep-

representatives and the Committee on Energy and Natural Resources of the Senate a report, which shall—

(A) update the information required by subsection (a)(2); and

(B) include a description of case studies and key lessons learned after the date on which the report under subsection (a)(2) was submitted with respect to expanding the deployment of electric vehicle charging infrastructure in underserved or disadvantaged communities in urban, suburban, and rural areas.

**SEC. 4. ELECTRIC VEHICLE CHARGING EQUITY PROGRAM.**

(a) PROGRAM.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall establish a program, to be known as the EV Charging Equity Program, to increase deployment and accessibility of electric vehicle charging infrastructure in underserved or disadvantaged communities by—

(1) providing technical assistance to eligible entities described in subsection (e); and

(2) awarding grants on a competitive basis to eligible entities described in subsection (e) for projects that increase such deployment and accessibility of electric vehicle charging infrastructure, including projects that are—



1 (A) publicly accessible;

2 (B) located within or are easily accessible  
3 to residents of—

4 (i) public or affordable housing;

5 (ii) multi-unit dwellings; or

6 (iii) single-family homes; and

7 (C) located within or easily accessible to  
8 places of work, provided that such electric vehi-  
9 cle charging infrastructure is accessible no  
10 fewer than 5 days per week.

11 (b) COST SHARE.—

12 (1) IN GENERAL.—Except as provided in para-  
13 graph (2), the amount of a grant awarded under  
14 this section for a project shall not exceed 80 percent  
15 of project costs.

16 (2) SINGLE-FAMILY HOMES.—The amount of a  
17 grant awarded under this section for a project that  
18 involves, as a primary focus, single-family homes  
19 shall not exceed 60 percent of project costs.

20 (c) LIMITATION.—Not more than 15 percent of the  
21 amount awarded for grants under this section in a fiscal  
22 year shall be awarded for projects that involve, as a pri-  
23 mary focus, single-family homes.

1 (d) PRIORITY.—In awarding grants and providing  
2 technical assistance under this section, the Secretary shall  
3 give priority to projects that—

4 (1) provide the greatest benefit to the greatest  
5 number of people within an underserved or dis-  
6 advantaged community;

7 (2) incorporate renewable energy resources;

8 (3) maximize local job creation, particularly  
9 among low-income, women, and minority workers; or

10 (4) utilize or involve locally owned small and  
11 disadvantaged businesses, including women and mi-  
12 nority-owned businesses.

13 (e) ELIGIBLE ENTITIES.—

14 (1) IN GENERAL.—To be eligible for a grant or  
15 technical assistance under the EV Charging Equity  
16 Program, an entity shall be—

17 (A) an individual or household that is the  
18 owner of where a project will be carried out;

19 (B) a State, local, Tribal, or Territorial  
20 government, or an agency or department there-  
21 of;

22 (C) an electric utility, including—

23 (i) a municipally owned electric utility;

24 (ii) a publicly-owned electric utility;

25 (iii) an investor-owned utility; and

- 1 (iv) a rural electric cooperative;  
2 (D) a nonprofit organization or institution;  
3 (E) a public housing authority;  
4 (F) an institution of higher education (as  
5 defined in section 101 of the Higher Education  
6 Act of 22 1965 (20 U.S.C. 1001);  
7 (G) a local small or disadvantaged busi-  
8 ness; or  
9 (H) a partnership between any number of  
10 eligible entities described in subparagraphs (A)  
11 through (G).

12 (2) UPDATES.—The Secretary may add to or  
13 otherwise revise the list of eligible entities under  
14 paragraph (1) if the Secretary determines that such  
15 an addition or revision would be beneficial to in-  
16 creasing deployment and accessibility of electric ve-  
17 hicle charging infrastructure in underserved or dis-  
18 advantaged communities.

19 (f) PUBLIC NOTICE AND REQUEST FOR APPLICA-  
20 TIONS.—The Secretary shall publish in the Federal Reg-  
21 ister, and such other publications as the Secretary con-  
22 siders to be appropriate, a notice and request for applica-  
23 tions to carry out projects under the EV Charging Equity  
24 Program.

25 (g) EDUCATION AND OUTREACH.—

1           (1) IN GENERAL.—In carrying out the EV  
2       Charging Equity Program, the Secretary shall estab-  
3       lish an education and outreach component of such  
4       Program to ensure that information regarding such  
5       Program and the benefits and opportunities for elec-  
6       tric vehicle charging is made available to individuals  
7       and relevant entities that live within or serve under-  
8       served or disadvantaged communities.

9           (2) REQUIREMENTS.—At a minimum, the edu-  
10      cation and outreach component of the EV Charging  
11      Equity Program established under this subsection  
12      shall include—

13           (A) the development and dissemination of  
14      an electric vehicle charging resource guide that  
15      is—

16           (i) maintained electronically on a  
17      website;

18           (ii) available to the public, free of  
19      charge; and

20           (iii) directed specifically towards indi-  
21      viduals and relevant entities that live with-  
22      in or serve underserved or disadvantaged  
23      communities;

24           (B) targeted outreach towards, and coordi-  
25      nated public outreach with, relevant local,

1 State, and Tribal entities, nonprofit organiza-  
2 tions, and institutions of higher education, that  
3 are located within or serve underserved or dis-  
4 advantaged communities; and

5 (C) any other such forms of education or  
6 outreach as the Secretary determines appro-  
7 priate to increase awareness of and access to  
8 the EV Charging Equity Program.

9 (h) REPORTS TO CONGRESS.—Not later than 1 year  
10 after the EV Charging Equity Program is established  
11 under this section, and not less frequently than once every  
12 2 years after that, the Secretary shall submit to the Com-  
13 mittee on Energy and Commerce of the House of Rep-  
14 resentatives and the Committee on Energy and Natural  
15 Resources of the Senate, and make publicly available, a  
16 report on the status of the EV Charging Equity Program,  
17 including a list and description of projects that have re-  
18 ceived grant awards or technical assistance, and of the  
19 funding or assistance provided to such projects.

20 (i) AUTHORIZATION OF APPROPRIATIONS.—There is  
21 authorized to be appropriated to carry out this section  
22 \$96,000,000 for each of fiscal years 2021 through 2030.

1 **SEC. 5. ENSURING PROGRAM BENEFITS FOR UNDER-**  
2 **SERVED AND DISADVANTAGED COMMU-**  
3 **NITIES.**

4 In administering a relevant program, the Secretary  
5 shall, to the extent practicable, invest or direct available  
6 and relevant programmatic resources so that such pro-  
7 gram—

8 (1) promotes electric vehicle charging infra-  
9 structure;

10 (2) supports clean and multi-modal transpor-  
11 tation;

12 (3) provides improved air quality and emissions  
13 reductions; and

14 (4) prioritizes the needs of underserved or dis-  
15 advantaged communities.

16 **SEC. 6. DEFINITIONS.**

17 In this Act:

18 (1) **ELECTRIC VEHICLE CHARGING INFRA-**  
19 **STRUCTURE.**—The term “electric vehicle charging  
20 infrastructure” means electric vehicle supply equip-  
21 ment, including any conductors, electric vehicle con-  
22 nectors, attachment plugs, and all other fittings, de-  
23 vices, power outlets, or apparatuses installed specifi-  
24 cally for the purposes of delivering energy to an elec-  
25 tric vehicle.

1           (2) PUBLICLY ACCESSIBLE.—The term “pub-  
2       licly accessible” means, with respect to electric vehi-  
3       cle charging infrastructure, electric vehicle charging  
4       infrastructure that is available, at zero or reasonable  
5       cost, to members of the public for the purpose of  
6       charging a privately owned or leased electric vehicle,  
7       or electric vehicle that is available for use by mem-  
8       bers of the general public as part of a ride service  
9       or vehicle sharing service or program, including  
10      within or around—

11                   (A) public sidewalks and streets;

12                   (B) public parks;

13                   (C) public buildings, including—

14                           (i) libraries;

15                           (ii) schools; and

16                           (iii) government offices;

17                   (D) public parking;

18                   (E) shopping centers; and

19                   (F) commuter transit hubs.

20           (3) RELEVANT PROGRAM.—The term “relevant  
21       program” means a program of the Department of  
22       Energy, including—

23                   (A) the State energy program under part  
24       D of title III the Energy Policy and Conserva-  
25       tion Act (42 U.S.C. 6321 et seq.);

1 (B) the Clean Cities program;

2 (C) the Energy Efficiency and Conserva-  
3 tion Block Grant Program established under  
4 section 542 of the Energy Independence and  
5 Security Act of 2007 (42 U.S.C. 17152);

6 (D) loan guarantees made pursuant to title  
7 XVII of the Energy Policy Act of 2005 (42  
8 U.S.C. 16511 et seq.); and

9 (E) such other programs as the Secretary  
10 determines appropriate.

11 (4) SECRETARY.—The term “Secretary” means  
12 the Secretary of Energy.

13 (5) UNDERSERVED OR DISADVANTAGED COM-  
14 MUNITY.—The term “underserved or disadvantaged  
15 community” means a community located within a  
16 ZIP Code or census tract that is identified as—

17 (A) a low-income community;

18 (B) a community of color;

19 (C) a Tribal community;

20 (D) having a disproportionately low num-  
21 ber of electric vehicle charging stations per cap-  
22 ita, compared to similar areas; or

23 (E) any other community that the Sec-  
24 retary determines is disproportionately vulner-  
25 able to, or bears a disproportionate burden of,



- 1 any combination of economic, social, environ-
- 2 mental, and climate stressors.

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