



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4131

by Rep. Sonya M. Harper

SYNOPSIS AS INTRODUCED:

New Act

Creates the Electrical Vehicle Infrastructure Act. Provides that a unit of local government shall not restrict which types of electric vehicles may access an electric vehicle charging station approved for passenger vehicles that both is publicly accessible and the construction of which was funded, at least in part, by the State or through moneys collected from ratepayers. Requires the Illinois Commerce Commission, in consultation with the Illinois Environmental Protection Agency, to assess whether charging station infrastructure is disproportionately deployed by population density, geographical area, or population income level. Provides that the Commission shall facilitate the development of technologies that promote grid integration, explore policies that support the development of technologies, and adopt a tariff specific to heavy-duty electric vehicle fleets or electric trucks and buses. Limits home rule powers. Defines terms.

LRB103 33834 MXP 63649 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Electrical Vehicle Infrastructure Act.

6 Section 5. Findings, intent, and policy. The General
7 Assembly finds and declares that ensuring electric vehicle
8 infrastructure is accessible to all types of electric vehicles
9 is a matter of statewide concern. It is the intent of the
10 General Assembly that local entities not adopt ordinances that
11 create unreasonable barriers to the use of electric vehicle
12 infrastructure. It is the policy of the State to promote and
13 encourage the use of electric vehicle infrastructure and to
14 limit obstacles to its use. It is the intent of the General
15 Assembly to increase access to electric vehicle infrastructure
16 in all communities within this State. Charging speed is a
17 critical component of access and should be considered in
18 public investment strategies related to electric vehicle
19 charging infrastructure.

20 Section 10. Definitions. As used in this Act:

21 "Charging station" means the removable equipment that
22 provides alternating or direct current to the battery electric

1 vehicle or plug-in hybrid electric vehicle, but does not
2 include the supporting charging infrastructure, such as
3 wiring, conduit, and electric panels.

4 "Commission" means the Illinois Commerce Commission.

5 "Electric vehicle charging station" has the same meaning
6 given that to that term in Section 45 of the Electric Vehicle
7 Act.

8 Section 15. Local restrictions on electrical vehicle
9 infrastructure. A unit of local government shall not restrict
10 which types of electric vehicles, including, but not limited
11 to, plug-in hybrid vehicles, may access an electric vehicle
12 charging station approved for passenger vehicles that both is
13 publicly accessible and the construction of which was funded,
14 at least in part, by the State or through moneys collected from
15 ratepayers.

16 Section 20. Location of electric vehicle charging
17 stations. The Illinois Commerce Commission, in consultation
18 with the Illinois Environmental Protection Agency, shall
19 assess whether charging station infrastructure is
20 disproportionately deployed by population density,
21 geographical area, or population income level, including
22 low-income, middle-income, and high-income levels. This
23 includes whether direct current fast charging stations are
24 disproportionately distributed and whether access to these

1 charging stations is disproportionately available. Upon making
2 a finding that charging station infrastructure has been
3 disproportionately deployed, the Commission shall use moneys
4 from the Alternative and Renewable Fuel and Vehicle Technology
5 Fund, to the extent authorized by law, as well as other
6 mechanisms, including incentives, to more proportionately
7 deploy new charging station infrastructure, unless the
8 Commission makes a finding that the disproportionate
9 deployment is reasonable and furthers state energy or
10 environmental policy as articulated by the Commission.

11 Section 25. Implementation of technologies, policies, and
12 tariffs. The Commission shall consider, in an existing
13 proceeding, all of the following:

14 (1) Facilitating the development of technologies that
15 promote grid integration, including technologies that
16 provide submetering capabilities to residential charging
17 stations, if the Commission determines that these
18 technologies and submetering capabilities are in the best
19 interests of ratepayers.

20 (2) Exploring policies that support the development of
21 technologies and rate strategies that can reduce the
22 effects of demand charges on electric vehicle drivers and
23 fleets, and help accelerate the adoption of electric
24 vehicles.

25 (3) Adopting a tariff specific to heavy-duty electric

1 vehicle fleets or electric trucks and buses that
2 encourages the use of charging stations when there is
3 excess grid capacity.

4 Section 30. Home rule. A unit of local government,
5 including a home rule municipality, may not restrict the type
6 of electrical vehicle from accessing an electric vehicle
7 charging station. This Section is a denial and limitation of
8 home rule powers and functions under subsection (g) of Section
9 6 of Article VII of the Illinois Constitution.