A bill to be entitled
An act relating to electric vehicles; amending s. 316.003, F.S.; revising definitions; authorizing the Department of Transportation to adopt rules; amending s. 334.046, F.S.; revising the department’s goals relating to mobility; creating s. 339.0802, F.S.; requiring that certain funds be used for specified purposes relating to the Electric Vehicle Infrastructure Grant Program, beginning in specified years; providing for future expiration of the requirement; creating s. 339.286, F.S.; requiring the department to establish the Electric Vehicle Infrastructure Grant Program; providing the purpose of the program; providing for the distribution of grants to certain entities to install electric vehicle charging infrastructure; providing grant requirements; providing requirements for equipment installed using grant funds; requiring the department to develop and publish criteria for the prioritization of grant applications and to maintain a prioritized list of approved applications; providing requirements for the distribution of grants; requiring that the department continually review emerging research, policies, and standards; requiring the department to publish certain information; authorizing the department to develop a model plan for local governments; requiring the department to adopt rules; amending s. 366.94, F.S.; specifying that certain rules adopted by the Department of Agriculture and Consumer Services may
not require specific methods of sale for electric
vehicle charging equipment used in, and services
provided in, this state; providing an appropriation;
providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (2) and (55) of section 316.003,
Florida Statutes, are amended to read:

316.003 Definitions.—The following words and phrases, when
used in this chapter, shall have the meanings respectively
ascribed to them in this section, except where the context
otherwise requires:

(2) AUTOCYCLE.—A three-wheeled motorcycle that has two
wheels in the front and one wheel in the back; is equipped with
a roll cage or roll hoops, a seat belt for each occupant,
antilock brakes that meet the requirements of Federal Motor
Vehicle Safety Standard No. 122, a steering mechanism wheel, and
seating that does not require the operator to straddle or sit
astride it; and is manufactured in accordance with the
applicable federal motorcycle safety standards in 49 C.F.R. part
571 by a manufacturer registered with the National Highway
Traffic Safety Administration.

(55) PERSONAL DELIVERY DEVICE.—An electrically powered
device that:

(a) Is operated on sidewalks and crosswalks and intended
primarily for transporting property;

(b) Has a weight that does not exceed the maximum weight
established by Department of Transportation rule Weighs less
(c) Has a maximum speed of 10 miles per hour or, if the Department of Transportation establishes by rule a maximum speed, has a speed that does not exceed that maximum; and
(d) Is equipped with technology to allow for operation of the device with or without the active control or monitoring of a natural person.

A personal delivery device is not considered a vehicle unless expressly defined by law as a vehicle. A mobile carrier is not considered a personal delivery device. The Department of Transportation may adopt rules to implement this subsection.

Section 2. Paragraph (c) of subsection (4) of section 334.046, Florida Statutes, is amended to read:

(4) At a minimum, the department’s goals shall address the following prevailing principles.

(c) Mobility.—Ensuring a cost-effective, statewide, interconnected transportation system. Improvement of travel choices to ensure mobility includes planning and establishment of infrastructure for innovative technologies, including electric vehicle charging infrastructure.

Section 3. Effective upon Senate Bill ___ or other similar legislation being enacted in the 2020 Regular Session or an extension thereof and becoming a law, section 339.0802, Florida Statutes, is created to read:

339.0802 Allocation of increased license tax revenues from licensure of electric and hybrid vehicles.—Funds that result from increased revenues to the State Transportation Trust Fund

CODING: Words stricken are deletions; words underlined are additions.
derived under s. 320.08001(2), (3), and (4) must be used as set forth in this section, notwithstanding any other provision of law.

(1) Beginning in the 2020-2021 fiscal year, and annually for 4 years thereafter, all increased revenues must be used to fund the Electric Vehicle Infrastructure Grant Program.

(2) Beginning in the 2025-2026 fiscal year, and annually for 4 years thereafter, half of the increased revenues must be used to fund the Electric Vehicle Infrastructure Grant Program.

(3) This section expires on July 1, 2030.

Section 4. Section 339.286, Florida Statutes, is created to read:

339.286 Electric Vehicle Infrastructure Grant Program.—
(1) The department shall establish the Electric Vehicle Infrastructure Grant Program. The purpose of the program is to provide financial assistance to encourage the installation of electric vehicle charging infrastructure.

(2) State agencies, public universities, public transit agencies, ports, airports, and local governments, including local housing authorities and libraries, may apply to the department for grants for the purpose of installing publicly available electric vehicle charging infrastructure on public or private property.

(3) A grant may be awarded for:
   (a) Technical assistance for the development and adoption of:
   1. A local or regional plan that establishes an electric vehicle charging infrastructure;
   2. Any action plans necessary to address any infrastructure
3. Steps necessary to complete the infrastructure plan.

A plan must address actions to deploy the necessary infrastructure in high-density housing areas and low-income to moderate-income areas.

(b) Assistance with the purchase of related equipment and the costs of installation of that equipment to provide electric vehicle charging. Such equipment must be capable of collecting and reporting data, use standard connectors, and be available to the public.

(4)(a) An applicant may apply for a grant for both technical assistance and equipment purchase and installation. A grant for technical assistance requires a minimum match of funds from the applicant of 30 percent of the grant award, but such match is not required for an applicant that is located in a fiscally constrained county as defined in s. 218.67(1). A grant for equipment purchase and installation requires a minimum match of funds from the applicant in the amount of 60 percent of the total project cost for alternating-current, Level 2 charging infrastructure, or 20 percent of the total project cost for direct-current, fast charging infrastructure. The matching funds must be from nonstate resources, but may include private funds provided through a partnership with a private entity or in-kind contributions such as the donation of equipment, services, or land or use of land for establishment of the electric vehicle charging infrastructure. Grant funds may not subsidize the cost for the use of electricity. Twenty percent of the funds available under the grant program must be reserved for
applicants or projects in fiscally constrained counties, as defined in s. 218.67(1). An applicant may partner with a private-sector entity to install charging infrastructure on private property in the same county or local jurisdiction as the applicant.

(b) The department shall develop and publish criteria for prioritizing the grant applications and shall maintain a prioritized list of approved grant applications. The prioritized list must include recommended funding levels for each application and, if staged implementation is appropriate, provide funding requirements for each stage. Grants must be prioritized based on the extent to which the activities of the grant will encourage growth in the use of electric vehicles and increase the availability of charging locations along evacuation routes. A grant for equipment purchase and installation that will immediately and most effectively serve those who currently own or operate electric vehicles may receive priority.

(5) The department shall continually review emerging research, policies, and standards related to electric vehicle infrastructure. Using such information, the department shall publish best practices for the establishment of electric vehicle charging infrastructure, model infrastructure plan development and components, and other significant information for the implementation and use of electric vehicle charging infrastructure. The department may develop a model plan that local governments may use as a guide to establish an electric vehicle charging infrastructure plan.

(6) The department shall adopt rules to administer this section.
Section 5. Section 366.94, Florida Statutes, is amended to read:

366.94 Electric vehicle charging stations.—

(1) The provision of electric vehicle charging to the public by a nonutility is not the retail sale of electricity for the purposes of this chapter. The rates, terms, and conditions of electric vehicle charging services by a nonutility are not subject to regulation under this chapter. This section does not affect the ability of individuals, businesses, or governmental entities to acquire, install, or use an electric vehicle charger for their own vehicles.

(2) The Department of Agriculture and Consumer Services shall adopt rules to provide definitions, methods of sale, labeling requirements, and price-posting requirements for electric vehicle charging stations to allow for consistency for consumers and the industry. Rules implemented under this subsection may not require specific methods of sale for electric vehicle charging equipment used in, and services provided in, this state.

(3)(a) It is unlawful for a person to stop, stand, or park a vehicle that is not capable of using an electrical recharging station within any parking space specifically designated for charging an electric vehicle.

(b) If a law enforcement officer or specialist finds a motor vehicle in violation of this subsection, the officer or specialist shall charge the operator or other person in charge of the vehicle in violation with a noncriminal traffic infraction, punishable as provided in s. 316.008(4) or s. 318.18.
Section 6. For the 2020-2021 fiscal year, the sum of $5204 million in nonrecurring funds is appropriated from the State Transportation Trust Fund to the Department of Transportation for the purpose of implementing the Electric Vehicle Infrastructure Grant Program created in s. 339.286, Florida Statutes.

Section 7. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2020.