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DELAWARE STATE SENATE  
150th GENERAL ASSEMBLY

SENATE BILL NO. 230

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO ELECTRIC VEHICLE CHARGING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Three-fifths of all members elected to each house thereof concurring therein):

1 WHEREAS, ownership of electric vehicles is steadily increasing both in Delaware and nationally; and

2 WHEREAS, a constraining factor of electric vehicle ownership is charging infrastructure; and

3 WHEREAS, electric vehicles can help to reduce local air pollution relative to internal combustion engine powered  
4 vehicles, thereby having public health and environmental benefits in Delaware; and

5 WHEREAS, electric vehicles have relatively lower emissions of carbon dioxide and other gases linked to climate  
6 change relative to internal combustion powered vehicles, thereby lowering Delaware's contribution to climate change; and

7 WHEREAS, several state agencies, as part of pilot projects, host electric vehicle charging stations, but do not have  
8 authorization to recoup costs associated with operation of the stations; and

9 WHEREAS, in conjunction with Delaware's existing policies, installing charging stations at State facilities can  
10 reduce barriers to electric vehicle ownership caused by a relative lack of charging infrastructure.

11 NOW, THEREFORE:

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Three-fifths of all  
13 members elected to each house thereof concurring therein):

14 Section 1. Amend Chapter 80, Title 29 of the Delaware Code by making deletions as shown by strike through and  
15 insertions as shown by underline as follows:

16 § 8062 State of Delaware Electric Vehicle Charging Infrastructure.

17 (a) As used in this section:

18 (1) "Agency" shall have the meaning set forth in 29 Del. C. § 6301(1).

19 (2) "Electric Vehicle Supply Equipment" or "EVSE" means equipment that connects an Electric Vehicle to an  
20 external source of electricity to recharge the Electric Vehicle's internal battery.

21 (3) "Electric Vehicle" or "EV" means a motor vehicle, as that term is defined in 21 Del. C. § 101(37), that uses  
22 one or more electric motors for propulsion and which is powered through an internal battery, which is charged using an

23 external electricity source. Electric Vehicle includes both plug-in hybrid vehicles, which operate with an electric motor that  
24 can be plugged into an external electric power source to charge the internal battery and also an internal combustion engine,  
25 and all-electric vehicles, which operate solely from an internal electric battery.

26 (b) Any Agency which has installed EVSE may, at its discretion, make such EVSE available for use by the public  
27 and/or employees. Any Agency which seeks to charge an amount for usage of any EVSE shall coordinate with the Office of  
28 Management and Budget on setting and adjusting, as may be necessary, fees for the use of such EVSE, which fees shall not  
29 exceed the State's costs associated with the EVSE.

30 (c) Agency EVSE may be located on state-owned or state-leased real property used for state offices, customer  
31 service centers, maintenance facilities, correctional facilities, visitor centers, research centers, health care facilities,  
32 recreational facilities, and other properties that house state employees or receive visitors conducting business with state  
33 agencies.

#### SYNOPSIS

This Act amends the Delaware Energy Act to encourage the adoption of electric vehicles in the State by creating more accessible electric vehicle charging infrastructure. Specifically, this Act permits State Agencies to charge a reasonable fee for use of electric vehicle charging stations installed by the Agency and to reimburse the appropriate State Agency which procured the underlying electricity used. This Act limits the locations to state-owned or state-leased properties used by state employees or visitors.

Author: Senator Hansen