



(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R.

To amend title 23, United States Code, to establish a grant program for the installation of electric vehicle charging infrastructure and hydrogen fueling infrastructure along the National Highway System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. DESAULNIER introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title 23, United States Code, to establish a grant program for the installation of electric vehicle charging infrastructure and hydrogen fueling infrastructure along the National Highway System, 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 “Clean Corridors Act
5 of 2021”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Greater adoption of zero emission vehicles
4 will help—

5 (A) reduce emissions and improve air qual-
6 ity;

7 (B) enhance the energy security of the
8 United States by expanding the use of zero
9 emission fuels;

10 (C) enhance fuel choice and utilization of
11 electric vehicle charging infrastructure and hy-
12 drogen fueling infrastructure in order to benefit
13 consumers;

14 (D) ensure that the transportation infra-
15 structure of the United States is equipped to
16 manage the demands and anticipated future
17 needs of the economy; and

18 (E) develop a new economic sector in the
19 United States that will create middle class jobs.

20 (2) Consumer and business adoption of zero
21 emission vehicles depends in part on the availability
22 of reliable and convenient fueling and charging in-
23 frastructure.

24 (3) Electric vehicle charging infrastructure and
25 hydrogen fueling infrastructure must be strategically

1 deployed to ensure the deployment and adoption of
2 zero emission fuels.

3 (4) Infrastructure owners and operators should
4 prepare to meet the charging and fueling needs of
5 electric vehicles and hydrogen vehicles.

6 **SEC. 3. GRANTS FOR CHARGING AND FUELING INFRA-**
7 **STRUCTURE TO MODERNIZE AND RECON-**
8 **NECT AMERICA FOR THE 21ST CENTURY.**

9 Section 151 of title 23, United States Code, is
10 amended—

11 (1) in subsection (a), by striking “Not later
12 than 1 year after the date of enactment of the
13 FAST Act, the Secretary shall” and inserting “The
14 Secretary shall periodically, not less frequently than
15 every 3 years,”;

16 (2) in subsection (b)(2), by inserting “pre-
17 viously designated by the Federal Highway Adminis-
18 tration or” before “designated by”;

19 (3) in subsection (d)—

20 (A) by striking “5 years after the date of
21 establishment of the corridors under subsection
22 (a), and every 5 years thereafter,” and insert-
23 ing “180 days after the date of enactment of
24 the Clean Corridors Act of 2021,”; and

1 (B) by striking “update” and inserting
2 “establish a recurring process, not less fre-
3 quently than every 3 years, to update”;

4 (4) in subsection (e)—

5 (A) in paragraph (1), by striking “and” at
6 the end;

7 (B) in paragraph (2)—

8 (i) by striking “establishes an aspira-
9 tional goal of achieving” and inserting “de-
10 scribes efforts, including through funds
11 awarded through the grant program under
12 subsection (f), that will aid efforts to
13 achieve”; and

14 (ii) by striking “by the end of fiscal
15 year 2020.” and inserting “; and”; and

16 (C) by adding at the end the following:

17 “(3) summarizes best practices and provides
18 guidance, developed through consultation with the
19 Secretary of Energy, for project development of elec-
20 tric vehicle charging infrastructure and hydrogen
21 fueling infrastructure at the State, Tribal, and local
22 level to allow for the predictable deployment of that
23 infrastructure.”; and

24 (5) by adding at the end the following:

25 “(f) GRANT PROGRAM.—

1 “(1) ESTABLISHMENT.—Not later than 1 year
2 after the date of enactment of the Clean Corridors
3 Act of 2021, the Secretary shall establish a grant
4 program to award grants to eligible entities to carry
5 out the activities described in paragraph (5).

6 “(2) ELIGIBLE ENTITIES.—An entity eligible to
7 receive a grant under this subsection is—

8 “(A) a State or political subdivision of a
9 State;

10 “(B) a metropolitan planning organization;

11 “(C) a unit of local government;

12 “(D) a special purpose district or public
13 authority with a transportation function, includ-
14 ing a port authority;

15 “(E) an Indian tribe (as defined in section
16 4 of the Indian Self-Determination and Edu-
17 cation Assistance Act (25 U.S.C. 5304));

18 “(F) an authority, agency, or instrumen-
19 tality of, or an entity owned by, 1 or more enti-
20 ties described in subparagraphs (A) through
21 (E); or

22 “(G) a group of entities described in sub-
23 paragraphs (A) through (F).

24 “(3) APPLICATIONS.—To be eligible to receive a
25 grant under this subsection, an eligible entity shall

1 submit to the Secretary an application at such time,
2 in such manner, and containing such information as
3 the Secretary shall require.

4 “(4) APPLICATION INFORMATION.—In making
5 requirements for applications under paragraph (3),
6 the Secretary may require information including a
7 description of how the eligible entity has consid-
8 ered—

9 “(A) public accessibility of charging or
10 fueling infrastructure proposed to be funded
11 with a grant under this subsection, including—

12 “(i) charging or fueling connector
13 types and publicly available information on
14 station location, station operator contact
15 information, number of simultaneous re-
16 fueling positions, and real-time availability;
17 and

18 “(ii) payment methods to ensure se-
19 cure, convenient, fair, and equal access;

20 “(B) collaborative engagement with stake-
21 holders (including automobile manufacturers,
22 utilities, infrastructure providers, technology
23 providers, zero emission fuel providers, metro-
24 politan planning organizations, States, Indian
25 tribes, units of local governments, fleet owners,

1 fleet managers, fuel station owners and opera-
2 tors, labor organizations, infrastructure con-
3 struction and component parts suppliers, and
4 multi-State and regional entities)—

5 “(i) to foster enhanced, coordinated,
6 public-private or private investment in elec-
7 tric vehicle charging infrastructure and hy-
8 drogen fueling infrastructure;

9 “(ii) to expand deployment of electric
10 vehicle charging infrastructure and hydro-
11 gen fueling infrastructure;

12 “(iii) to protect personal privacy and
13 ensure cybersecurity; and

14 “(iv) to ensure that a properly trained
15 workforce is available to construct and in-
16 stall electric vehicle charging infrastructure
17 and hydrogen fueling infrastructure;

18 “(C) the location of the proposed station
19 or fueling site, including—

20 “(i) the availability of onsite amenities
21 for vehicle operators, including restrooms
22 or food facilities;

23 “(ii) access in compliance with the
24 Americans with Disabilities Act of 1990
25 (42 U.S.C. 12101 et seq.); and

1 “(iii) needs for expanded capacity in
2 the future to meet growth in demand;

3 “(D) infrastructure installation that can be
4 responsive to technology advancements, includ-
5 ing accommodating autonomous vehicles, future
6 electric charging and hydrogen fueling methods,
7 and new payment methods; and

8 “(E) the long-term operation and mainte-
9 nance of the electric vehicle charging infrastruc-
10 ture and hydrogen fueling infrastructure, in-
11 cluding consideration of the need for expanded
12 capacity resulting from increasing demand into
13 the future, to avoid stranded assets and protect
14 the investment of public funds in that infra-
15 structure.

16 “(5) CONSIDERATIONS.—In selecting eligible
17 entities to receive a grant under this subsection, the
18 Secretary shall consider the extent to which the ap-
19 plication of the eligible entity would—

20 “(A) improve alternative fueling corridor
21 networks by—

22 “(i) enabling a non-designated cor-
23 ridor to become a corridor-pending corridor
24 or a corridor-ready corridor;

1 “(ii) converting corridor-pending cor-
2 ridors to corridor-ready corridors; or

3 “(iii) in the case of corridor-ready cor-
4 ridors, providing redundancy—

5 “ (I) to meet excess demand for
6 charging and fueling infrastructure;

7 or

8 “ (II) to reduce congestion at ex-
9 isting charging and fueling infrastruc-
10 ture in high-traffic locations;

11 “(B) meet current or anticipated market
12 demands for charging or fueling infrastructure;

13 “(C) accelerate the adoption of electric and
14 hydrogen powered modes of transportation
15 through the establishment of new recharging
16 and refueling locations or the expansion of ex-
17 isting infrastructure constructed without Fed-
18 eral assistance;

19 “(D) support a long-term competitive mar-
20 ket for electric vehicle charging and hydrogen
21 fueling infrastructure; and

22 “(E) reduce greenhouse gas emissions in
23 established goods-movement corridors, locations
24 serving first- and last-mile freight near ports
25 and freight hubs, and locations that optimize

1 infrastructure networks and reduce hazardous
2 air pollutants in communities disproportionately
3 impacted by such pollutants.

4 “(6) USE OF FUNDS.—

5 “(A) IN GENERAL.—Except as provided in
6 subparagraphs (C) and (D), an eligible entity
7 receiving a grant under this subsection shall
8 only use the funds to contract with a private
9 entity for acquisition and installation of publicly
10 accessible electric vehicle charging infrastruc-
11 ture and hydrogen fueling infrastructure that is
12 directly related to the charging or fueling of a
13 vehicle in accordance with this paragraph.

14 “(B) LOCATION OF INFRASTRUCTURE.—
15 Any electric vehicle charging infrastructure or
16 hydrogen fueling infrastructure acquired and
17 installed with a grant under this subsection
18 shall be located along an alternative fuel cor-
19 ridor designated—

20 “(i) under this section, on the condi-
21 tion that any affected Indian tribes are
22 consulted before the designation; or

23 “(ii) by a State or group of States, in-
24 cluding the Regional Electric Vehicle West
25 Plan of the States of Arizona, Colorado,

1 Idaho, Montana, Nevada, New Mexico,
2 Utah, and Wyoming, on the condition that
3 any affected Indian tribes are consulted
4 before the designation.

5 “(C) OPERATING ASSISTANCE.—

6 “(i) IN GENERAL.—Subject to clauses
7 (ii) and (iii), an eligible entity that receives
8 a grant under this subsection may use a
9 portion of the funds to provide to a private
10 entity operating assistance for the first 5
11 years of operations after the installation of
12 electric vehicle charging infrastructure and
13 hydrogen fueling infrastructure while the
14 facility transitions to independent system
15 operations.

16 “(ii) INCLUSIONS.—Operating assist-
17 ance under this subparagraph shall be lim-
18 ited to costs allocable to operating and
19 maintaining the electric vehicle charging
20 infrastructure and hydrogen fueling infra-
21 structure and service, including costs asso-
22 ciated with labor, marketing, and adminis-
23 trative costs.

24 “(iii) LIMITATION.—Operating assist-
25 ance under this subparagraph may not ex-

1 ceed the amount of a contract under sub-
2 paragraph (A) to acquire and install pub-
3 licly accessible electric vehicle charging in-
4 frastructure and hydrogen fueling infra-
5 structure.

6 “(D) SIGNS.—

7 “(i) IN GENERAL.—Except as pro-
8 vided in clause (ii), an eligible entity that
9 receives a grant under this subsection may
10 use a portion of the funds to acquire and
11 install—

12 “(I) traffic control devices lo-
13 cated in the right-of-way to provide
14 directional information to electric ve-
15 hicle charging infrastructure and hy-
16 drogen fueling infrastructure ac-
17 quired, installed, or operated with the
18 grant; and

19 “(II) on-premises signs to pro-
20 vide information about electric vehicle
21 charging infrastructure and hydrogen
22 fueling infrastructure acquired, in-
23 stalled, or operated with a grant
24 under this subsection.

1 “(ii) LIMITATION ON AMOUNT.—The
2 amount of funds used to acquire and in-
3 stall traffic control devices and on-premises
4 signs under clause (i) may not exceed the
5 amount of a contract under subparagraph
6 (A) to acquire and install publicly acces-
7 sible charging or fueling infrastructure.

8 “(iii) NO NEW AUTHORITY CRE-
9 ATED.—Nothing in this subparagraph au-
10 thorizes an eligible entity that receives a
11 grant under this subsection to acquire and
12 install traffic control devices or on-prem-
13 ises signs if the entity is not otherwise au-
14 thorized to do so.

15 “(7) PROJECT REQUIREMENTS.—

16 “(A) IN GENERAL.—Notwithstanding any
17 other provision of law, any project funded by a
18 grant under this subsection shall be treated as
19 a project on a Federal-aid highway under this
20 chapter.

21 “(B) SIGNS.—Any traffic control device or
22 on-premises sign acquired, installed, or operated
23 with a grant under this subsection shall comply
24 with—

1 “(i) the Manual on Uniform Traffic
2 Control Devices, if located in the right-of-
3 way; and

4 “(ii) other provisions of Federal,
5 State, and local law, as applicable.

6 “(C) LIMITATION ON SINGLE MANUFAC-
7 TURER USE.—A grant under this subsection
8 may not be used to construct any infrastructure
9 that has the ability to serve vehicles produced
10 by only one vehicle manufacturer.

11 “(8) FEDERAL SHARE.—The Federal share of
12 the cost of a project carried out with a grant under
13 this subsection shall not exceed 80 percent of the
14 total project cost.

15 “(9) AUTHORIZATION OF APPROPRIATIONS.—
16 There is authorized to be appropriated to carry out
17 this subsection \$300,000,000 for each of fiscal years
18 2021 through 2030.”.