

REFERENCE TITLE: **electric vehicle charging stations**

State of Arizona  
Senate  
Fifty-sixth Legislature  
First Regular Session  
2023

# **SB 1501**

Introduced by  
Senators Carroll: Gowan, Kaiser, Shamp; Representatives Nguyen, Smith,  
Wilmeth

AN ACT

AMENDING TITLE 40, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 40-214; RELATING TO ELECTRIC VEHICLE CHARGING STATIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 40, chapter 2, article 1, Arizona Revised  
3 Statutes, is amended by adding section 40-214, to read:

4 40-214. Charges, rates, tolls and rental fees; uses;  
5 definitions

6 A. NOTWITHSTANDING ANY OTHER LAW, CHARGES, RATES, TOLLS AND RENTAL  
7 FEES THAT ARE RECEIVED BY A PUBLIC SERVICE CORPORATION OR ELECTRICITY  
8 SUPPLIER, INCLUDING AN ELECTRIC COOPERATIVE, FOR ANY COMMODITY OR SERVICE:

9 1. MAY NOT BE USED TO BUILD OR OPERATE AN ELECTRIC VEHICLE CHARGING  
10 STATION OR A COMMERCIAL CHARGING FACILITY.

11 2. MAY BE USED FOR MAKE-READY INFRASTRUCTURE.

12 B. AN AFFILIATE OF AN ELECTRICITY SUPPLIER THAT PROVIDES, OWNS,  
13 OPERATES OR MAINTAINS ELECTRIC VEHICLE CHARGING STATIONS SHALL DO SO ON  
14 THE SAME RATES, TERMS AND CONDITIONS THAT ARE OFFERED TO PRIVATE PROVIDERS  
15 OF ELECTRIC VEHICLE CHARGING STATIONS IN THE ELECTRICITY SUPPLIER'S  
16 SERVICE TERRITORY.

17 C. FOR THE PURPOSES OF THIS SECTION:

18 1. "DIRECT CURRENT FAST CHARGING STATION" MEANS A CHARGING SYSTEM  
19 THAT IS CAPABLE OF DELIVERING AT LEAST FIFTY KILOWATTS OF DIRECT CURRENT  
20 ELECTRICAL POWER TO AN ELECTRIC VEHICLE'S RECHARGEABLE BATTERY AT A  
21 VOLTAGE OF TWO HUNDRED VOLTS OR GREATER.

22 2. "ELECTRICITY SUPPLIER" MEANS ANY OF THE FOLLOWING:

23 (a) AN ELECTRIC LIGHT AND POWER COMPANY THAT PROVIDES ELECTRIC  
24 SERVICE TO THE PUBLIC AND WHOSE CHARGES, RATES, TOLLS, RENTAL FEES AND  
25 SERVICE RULES ARE SUBJECT TO REGULATION BY THE COMMISSION.

26 (b) AN ELECTRIC LIGHT AND WATER COMPANY THAT PROVIDES ELECTRIC  
27 SERVICE TO THE PUBLIC, WHOSE SERVICE AREA INCLUDES PART OF A COUNTY WITH A  
28 POPULATION OF MORE THAN FOUR MILLION PERSONS AND WHOSE CHARGES, RATES,  
29 TOLLS, RENTAL FEES AND SERVICE RULES ARE NOT SUBJECT TO REGULATION BY THE  
30 COMMISSION.

31 (c) A PUBLIC POWER ENTITY AS DEFINED IN SECTION 30-801.

32 3. "ELECTRIC VEHICLE" MEANS A MOTOR VEHICLE THAT IS PROPELLED BY  
33 ONE OR MORE ELECTRIC MOTORS USING ENERGY THAT IS STORED IN THE FORM OF A  
34 RECHARGEABLE BATTERY.

35 4. "ELECTRIC VEHICLE CHARGING STATION" MEANS ANY LEVEL TWO CHARGING  
36 STATION OR DIRECT CURRENT FAST CHARGING STATION THAT DELIVERS ELECTRICITY  
37 FROM A SOURCE OUTSIDE AN ELECTRIC VEHICLE INTO ONE OR MORE ELECTRIC  
38 VEHICLES AND THAT IS SEPARATE AND DISTINCT FROM A MAKE-READY  
39 INFRASTRUCTURE.

40 5. "LEVEL TWO CHARGING STATION" MEANS A CHARGING SYSTEM THAT IS  
41 CAPABLE OF DELIVERING AT LEAST THREE AND NOT MORE THAN FIFTY KILOWATTS OF  
42 ALTERNATING CURRENT ELECTRICAL POWER TO AN ELECTRIC VEHICLE'S RECHARGEABLE  
43 BATTERY AT A VOLTAGE OF TWO HUNDRED VOLTS OR GREATER.

1           6. "MAKE-READY INFRASTRUCTURE":

2           (a) MEANS THE ELECTRICAL INFRASTRUCTURE THAT IS REQUIRED TO SERVICE  
3 AN ELECTRIC VEHICLE CHARGING STATION'S ELECTRICAL LOAD ON THE ELECTRICITY  
4 SUPPLIER'S OR CUSTOMER'S SIDE OF THE ELECTRIC METER.

5           (b) DOES NOT INCLUDE AN ELECTRIC VEHICLE CHARGING STATION.

6           Sec. 2. Legislative findings

7           The legislature finds that establishing a framework to encourage  
8 private sector investment in the deployment of electric vehicle charging  
9 stations, as defined in section 40-214, Arizona Revised Statutes, as added  
10 by this act, is an important issue and that the framework is essential to  
11 foster the rapid installation and widespread use of electric vehicle  
12 charging stations, as defined in section 40-214, Arizona Revised Statutes,  
13 as added by this act, on real property whose owners or tenants want to  
14 make the investment. To establish the framework, it is necessary to:

15           1. Implement competitively neutral policies to encourage private  
16 sector investment in the deployment of electric vehicle charging stations,  
17 as defined in section 40-214, Arizona Revised Statutes, as added by this  
18 act.

19           2. Develop and implement competitively neutral electricity charges,  
20 rates, tolls and rental fees aimed at and optimized for the low-cost  
21 operation of electric vehicle charging stations, as defined in section  
22 40-214, Arizona Revised Statutes, as added by this act, while ensuring  
23 transparency in pricing and complying with the infrastructure investment  
24 and jobs act (P.L. 117-58; 135 Stat. 429; 16 United States Code sections  
25 2621 and 2622).

26           3. For electric vehicle charging, use predictable and transparent  
27 charges, rates, tolls and rental fees and not use demand charge pricing  
28 because demand charge pricing creates uncertainty in the private sector  
29 and for consumers.

30           4. Encourage private investment, ownership and operation of  
31 publicly available electric vehicle charging stations, as defined in  
32 section 40-214, Arizona Revised Statutes, as added by this act, including  
33 equipment that allows for fast charging.

34           5. Stimulate innovation, competition and private investment in the  
35 electric vehicle charging market.

36           6. Develop mechanisms to provide incentives for and support of the  
37 short-term and long-term efficient and cost-effective use of the power  
38 grid in a manner that supports the operation of electric vehicle charging  
39 stations, as defined in section 40-214, Arizona Revised Statutes, as added  
40 by this act.

1           7. Ensure that the burden of the development of electric vehicle  
2 charging stations, as defined in section 40-214, Arizona Revised Statutes,  
3 as added by this act, is not carried by this state's payors of charges,  
4 rates, tolls and rental fees that are demanded or received by an  
5 electricity supplier, as defined in section 40-214, Arizona Revised  
6 Statutes, as added by this act.

7           8. Ensure that any policy, decision or rule relating to charges,  
8 rates, tolls and rental fees for an electric vehicle charging provider  
9 does not allow for a monthly demand charge that is based on the electric  
10 vehicle charging provider's highest hour of energy used during on-peak  
11 hours while the infrastructure for an electric vehicle charging station,  
12 as defined in section 40-214, Arizona Revised Statutes, as added by this  
13 act, is being built.