

116TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

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.

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IN THE SENATE OF THE UNITED STATES

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\_\_\_\_\_ introduced the following bill; which was read twice  
and referred to the Committee on \_\_\_\_\_

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## **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 2019”.

1 **SEC. 2. GRANTS FOR CHARGING AND FUELING INFRA-**  
2 **STRUCTURE TO MODERNIZE AND RECON-**  
3 **NECT AMERICA FOR THE 21ST CENTURY.**

4 (a) PURPOSE; FINDINGS.—

5 (1) PURPOSE.—The purpose of this section is  
6 to establish a grant program to strategically deploy  
7 electric vehicle charging infrastructure and hydrogen  
8 fueling infrastructure along designated alternative  
9 fuel corridors that will be accessible to all drivers of  
10 zero emission vehicles.

11 (2) FINDINGS.—Congress finds that—

12 (A) greater adoption of zero emission vehi-  
13 cles will help—

14 (i) reduce emissions and improve air  
15 quality;

16 (ii) enhance the energy security of the  
17 United States by expanding the use of zero  
18 emission fuels;

19 (iii) enhance fuel choice and utiliza-  
20 tion of electric vehicle charging infrastruc-  
21 ture and hydrogen fueling infrastructure in  
22 order to benefit consumers;

23 (iv) ensure that the transportation in-  
24 frastructure of the United States is  
25 equipped to manage the demands and an-  
26 ticipated future needs of the economy; and

1                   (v) develop a new economic sector in  
2                   the United States that will create middle  
3                   class jobs;

4                   (B) consumer and business adoption of  
5                   zero emission vehicles depends in part on the  
6                   availability of reliable and convenient fueling  
7                   and charging infrastructure;

8                   (C) electric vehicle charging infrastructure  
9                   and hydrogen fueling infrastructure must be  
10                  strategically deployed to ensure the deployment  
11                  and adoption of zero emission fuels; and

12                  (D) infrastructure owners and operators  
13                  should prepare to meet the charging and fueling  
14                  needs of electric vehicles and hydrogen vehicles.

15           (b) GRANT PROGRAM.—Section 151 of title 23,  
16 United States Code, is amended—

17               (1) in subsection (a), by striking “Not later  
18               than 1 year after the date of enactment of the  
19               FAST Act, the Secretary shall” and inserting “The  
20               Secretary shall periodically”;

21               (2) in subsection (b)(2), by inserting “pre-  
22               viously designated by the Federal Highway Adminis-  
23               tration or” before “designated by”;

24               (3) in subsection (d)—

1 (A) by striking “5 years after the date of  
2 establishment of the corridors under subsection  
3 (a), and every 5 years thereafter,” and insert-  
4 ing “180 days after the date of enactment of  
5 the Clean Corridors Act of 2019,”; and

6 (B) by inserting “establish a recurring  
7 process to regularly” before “update”;

8 (4) in subsection (e)—

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

11 (B) in paragraph (2)—

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

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

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

21 “(3) summarizes best practices and provides  
22 guidance, developed through consultation with the  
23 Secretary of Energy, for project development of elec-  
24 tric vehicle charging infrastructure and hydrogen  
25 fueling infrastructure at the State, Tribal, and local

1 level to allow for the predictable deployment of that  
2 infrastructure.”; and

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

4 “(f) GRANT PROGRAM.—

5 “(1) ESTABLISHMENT.—Not later than 1 year  
6 after the date of enactment of the Clean Corridors  
7 Act of 2019, the Secretary shall establish a grant  
8 program to award grants to eligible entities to carry  
9 out the activities described in paragraph (5).

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

12 “(A) a State or political subdivision of a  
13 State;

14 “(B) a metropolitan planning organization;

15 “(C) a unit of local government;

16 “(D) a special purpose district or public  
17 authority with a transportation function, includ-  
18 ing a port authority;

19 “(E) an Indian tribe (as defined in section  
20 4 of the Indian Self-Determination and Edu-  
21 cation Assistance Act (25 U.S.C. 5304));

22 “(F) an authority, agency, or instrumen-  
23 tality of, or an entity owned by, 1 or more enti-  
24 ties described in subparagraphs (A) through  
25 (E); or

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

3           “(3) APPLICATIONS.—To be eligible to receive a  
4           grant under this subsection, an eligible entity shall  
5           submit to the Secretary an application at such time,  
6           in such manner, and containing such information as  
7           the Secretary shall require, including a description  
8           of how the eligible entity has considered—

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                 real-time availability; and

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

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

1 construction and component parts suppliers,  
2 and multi-State and regional entities)—

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

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

10 “(iii) to protect personal privacy and  
11 ensure cybersecurity; and

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

16 “(C) the location of the station or fueling  
17 site, such as consideration of—

18 “(i) the availability of onsite amenities  
19 for vehicle operators, such as restrooms or  
20 food facilities;

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

24 “(iii) height and fueling capacity re-  
25 quirements for facilities that charge or re-

1 fuel large vehicles, such as semi-trailer  
2 trucks;

3 “(D) infrastructure installation that can be  
4 responsive to technology advancements, such as  
5 accommodating autonomous vehicles and future  
6 charging methods; and

7 “(E) the long-term operation and mainte-  
8 nance of the electric vehicle charging infrastruc-  
9 ture and hydrogen fueling infrastructure, to  
10 avoid stranded assets and protect the invest-  
11 ment of public funds in that infrastructure.

12 “(4) CONSIDERATIONS.—In selecting eligible  
13 entities to receive a grant under this subsection, the  
14 Secretary shall consider the extent to which the ap-  
15 plication of the eligible entity would—

16 “(A) improve alternative fueling corridor  
17 networks by—

18 “(i) converting corridor-pending cor-  
19 ridors to corridor-ready corridors; or

20 “(ii) in the case of corridor-ready cor-  
21 ridors, providing redundancy—

22 “(I) to meet excess demand for  
23 charging and fueling infrastructure;  
24 or



1                   “(II) to reduce congestion at ex-  
2                   isting charging and fueling infrastruc-  
3                   ture in high-traffic locations;

4                   “(B) meet current or anticipated market  
5                   demands for charging or fueling infrastructure;

6                   “(C) enable or accelerate the construction  
7                   of charging or fueling infrastructure that would  
8                   be unlikely to be completed without Federal as-  
9                   sistance; and

10                  “(D) support a long-term competitive mar-  
11                  ket for electric vehicle charging and hydrogen  
12                  fueling infrastructure.

13                  “(5) USE OF FUNDS.—

14                  “(A) IN GENERAL.—An eligible entity re-  
15                  ceiving a grant under this subsection shall only  
16                  use the funds to contract with a private entity  
17                  for acquisition and installation of publicly ac-  
18                  cessible electric vehicle charging infrastructure  
19                  and hydrogen fueling infrastructure that is di-  
20                  rectly related to the charging or fueling of a ve-  
21                  hicle in accordance with this paragraph.

22                  “(B) LOCATION OF INFRASTRUCTURE.—  
23                  Any electric vehicle charging infrastructure or  
24                  hydrogen fueling infrastructure acquired and  
25                  installed with a grant under this subsection

1 shall be located along an alternative fuel cor-  
2 ridor designated—

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

6 “(ii) by a State or group of States,  
7 such as the Regional Electric Vehicle West  
8 Plan of the States of Arizona, Colorado,  
9 Idaho, Montana, Nevada, New Mexico,  
10 Utah, and Wyoming, on the condition that  
11 any affected Indian tribes are consulted  
12 before the designation.

13 “(C) OPERATING ASSISTANCE.—

14 “(i) IN GENERAL.—Subject to clauses  
15 (ii) and (iii), an eligible entity that receives  
16 a grant under this subsection may use a  
17 portion of the funds to provide to a private  
18 entity operating assistance for the first 5  
19 years of operations after the installation of  
20 electric vehicle charging infrastructure and  
21 hydrogen fueling infrastructure while the  
22 facility transitions to independent system  
23 operations.

24 “(ii) INCLUSIONS.—Operating assist-  
25 ance under this subparagraph shall be lim-



1                   quired, installed, or operated with the  
2                   grant; and

3                   “(II) on-premises signs to pro-  
4                   vide information about electric vehicle  
5                   charging infrastructure and hydrogen  
6                   fueling infrastructure acquired, in-  
7                   stalled, or operated with a grant  
8                   under this subsection.

9                   “(ii) APPLICABILITY.—Clause (i) shall  
10                  apply only to an eligible entity that—

11                  “(I) receives a grant under this  
12                  subsection; and

13                  “(II) is using that grant for the  
14                  acquisition and installation of publicly  
15                  accessible electric vehicle charging in-  
16                  frastructure and hydrogen fueling in-  
17                  frastructure.

18                  “(iii) LIMITATION ON AMOUNT.—The  
19                  amount of funds used to acquire and in-  
20                  stall traffic control devices and on-premises  
21                  signs under clause (i) may not exceed the  
22                  amount of a contract under subparagraph  
23                  (A) to acquire and install publicly acces-  
24                  sible charging or fueling infrastructure.

1                   “(iv) NO NEW AUTHORITY CRE-  
2                   ATED.—Nothing in this subparagraph au-  
3                   thorizes an eligible entity that receives a  
4                   grant under this subsection to acquire and  
5                   install traffic control devices or on-prem-  
6                   ises signs if the entity is not otherwise au-  
7                   thorized to do so.

8                   “(6) PROJECT REQUIREMENTS.—

9                   “(A) IN GENERAL.—Notwithstanding any  
10                  other provision of law, any project funded by a  
11                  grant under this subsection shall be treated as  
12                  a project on a Federal-aid highway under this  
13                  chapter.

14                  “(B) SIGNS.—Any traffic control device or  
15                  on-premises sign acquired, installed, or operated  
16                  with a grant under this subsection shall comply  
17                  with—

18                         “(i) the Manual on Uniform Traffic  
19                         Control Devices, if located in the right-of-  
20                         way; and

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

23                  “(7) FEDERAL SHARE.—The Federal share of  
24                  the cost of a project carried out with a grant under

1       this subsection shall not exceed 80 percent of the  
2       total project cost.

3               “(8) FUNDING.—There is authorized to be ap-  
4       propriated to carry out this subsection \$300,000,000  
5       for each of fiscal years 2019 through 2028.”.