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National Electric Vehicle Infrastructure Formula Program/Minimum Standards and Requirements for Funded Projects: Federal Highway Administration Notice of Proposed Rulemaking

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The Federal Highway Administration (“FHWA”) issued a Notice of Proposed Rulemaking (“NPRM”) which would establish regulations setting minimum standards and requirements for projects funded under the National Electric Vehicle Infrastructure (NEVI) Formula Program. See Docket No. FHWA-2022-0008.

The standards and requirements in the NPRM would apply to the:

. . . installation, operation, or maintenance of EV charging infrastructure; the interoperability of EV charging infrastructure; traffic control device or on-premises signage acquired, installed, or operated in concert with EV charging infrastructure; data, including the format and schedule for the submission of such data; network connectivity of EV charging infrastructure; and information on publicly available EV charging infrastructure locations, pricing, real-time availability, and accessibility through mapping applications.

The FHWA states the minimum standards are intended to help ensure that the national EV charging network is user-friendly, reliable, and accessible to all Americans. In other words, the apparent intent is to attempt to ensure that, regardless of the type of EV driven, state in which a user is located, or charging company that is utilized, there is a unified network of chargers with similar payment systems, pricing information, charging speeds, etc. This is stated to align with the Biden Administration’s commitment to accelerate the construction of a national network of 500,000 electric vehicle chargers by 2030.

The FHWA notes that the Bipartisan Infrastructure Law requires that minimum standards and requirements be developed related to six areas:

- Installation, operation, and maintenance by qualified technicians of electric vehicle infrastructure
- Interoperability of electric vehicle charging infrastructure
- Traffic control devices and on-premise signs acquired, installed, or operated
- Data requested related to a project funded under the NEVI formula program, including the format and schedule for submission of such data
- Network connectivity of electric vehicle charging infrastructure
- Information on publicly available electric vehicle charging infrastructure locations, pricing, real-time availability, and accessibility through mapping applications

The Bipartisan Infrastructure Law included two programs with a total of \$7.5 billion in dedicated funding that is intended to facilitate access to electric vehicle chargers and alternative fueling facilities to all Americans for long-distance trips.

A copy of the NPRM can be downloaded [here](#).