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Date: (Filing No. S- )

**ENERGY, UTILITIES AND TECHNOLOGY**

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE**

**SENATE**

**131ST LEGISLATURE**

**SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 61, L.D. 122, “An Act to Authorize the Efficiency Maine Trust to Establish a Program to Support the Uptake of Medium-duty and Heavy-duty Zero-emission Vehicles by Maine Businesses and to Establish a Medium-duty and Heavy-duty Zero-emission Vehicle-to-grid Pilot Project”

Amend the bill by striking out the title and substituting the following:

**'An Act to Update the Electric Vehicle Rebate Program and to Establish a Pilot Program to Support the Uptake of Medium Duty and Heavy Duty Zero-emission Vehicles'**

Amend the bill by striking out everything after the enacting clause and inserting the following:

**'Sec. 1. 35-A MRSA §10126, sub-§3**, as amended by PL 2023, c. 140, §2, is further amended to read:

**3. Rebate Incentive program established; eligibility.** In accordance with the provisions of this section, the trust shall establish and administer a program that provides ~~rebates incentives~~ for the purchase or lease of electric vehicles. A person may apply for and, as resources within the fund allow, receive ~~a rebate an incentive~~ for an electric vehicle, subject to eligibility requirements established by the trust. Eligibility criteria for the vehicle must include that the vehicle is: a battery electric vehicle or a plug-in hybrid electric vehicle; ~~the vehicle is purchased, or leased for a term of 36 months or more, from its original equipment manufacturer or an authorized licensee of the original equipment manufacturer or a licensed automobile dealer for a term of 36 months or more, in the State or from its original equipment manufacturer, wherever located;~~ and, to the extent required by Title 29-A, chapter 5, ~~the vehicle is~~ registered in the State. An automobile, as defined in Title 29-A, section 101, subsection 7, with a gross vehicle weight rating of 6,000 pounds or less is not eligible for the program if it has a manufacturer's suggested retail price greater than ~~\$50,000~~ **\$55,000**. To the extent funds are available, the trust may extend program eligibility to medium duty vehicles and heavy duty vehicles that are battery electric vehicles or plug-in hybrid electric vehicles and to electric bicycles. Eligibility requirements for the

**COMMITTEE AMENDMENT**

1 recipient of the ~~rebate~~ incentive must include that the recipient attests to a commitment to  
 2 ~~retain ownership~~ maintain a registration in this State to the extent required by Title 29-A,  
 3 chapter 5, whether through purchase or lease, of the eligible electric vehicle for at least 36  
 4 months from the date of purchase or lease. The trust may require a recipient of a ~~rebate~~ an  
 5 incentive under this section who does not ~~retain ownership~~ maintain a registration in this  
 6 State of the eligible electric vehicle for at least 36 months to repay the trust up to the full  
 7 amount of the ~~rebate~~ incentive. If the trust extends program eligibility to electric bicycles,  
 8 the trust shall limit the electric bicycle ~~rebates~~ incentives to recipients who are low-income  
 9 and moderate-income individuals and to entities that serve those individuals, as determined  
 10 by the trust. For a recipient to receive a ~~rebate~~ an incentive for the purchase of an electric  
 11 bicycle under the program, the electric bicycle must serve as the recipient's principal means  
 12 of commuting, as determined by the trust.

13 The trust shall establish the ~~rebate~~ incentive amount for each eligible electric vehicle. The  
 14 trust shall establish ~~rebate~~ incentive amounts that it determines most effectively increase  
 15 the ~~purchase~~ use of eligible electric vehicles in the State to advance the State's carbon  
 16 reduction targets and reduce transportation-related energy costs. For each model of an  
 17 eligible electric vehicle, the trust may establish different ~~rebate~~ incentive amounts based  
 18 on the size of the vehicle battery. The trust may establish different ~~rebate~~ incentive amounts  
 19 for the purpose of providing reasonable opportunity for participation in the program across  
 20 different customer groups and geographic areas. The trust may establish reasonable limits  
 21 on the number of ~~rebates~~ incentives per vehicle or per person.

22 **Sec. 2. 35-A MRSA §10126, sub-§4**, as enacted by PL 2019, c. 258, §1 and  
 23 reallocated by RR 2019, c. 1, Pt. A, §54, is amended to read:

24 **4. List of eligible electric vehicles; applications.** The trust shall develop, make  
 25 available on its publicly accessible website and periodically update a list of eligible electric  
 26 vehicles and ~~rebates~~ incentives included in the program. The trust shall develop and make  
 27 available at its offices and on its publicly accessible website all forms and other documents  
 28 necessary for a person to apply for and receive a direct ~~rebate~~ incentive under this section.

29 **Sec. 3. Medium duty and heavy duty electric vehicle pilot program.** For  
 30 fiscal years 2023-24 to 2025-26, to the extent that funds within the Electric Vehicle Fund  
 31 established by the Maine Revised Statutes, Title 35-A, section 10126, subsection 2 allow,  
 32 the Efficiency Maine Trust, referred to in this section as "the trust," shall establish a pilot  
 33 program to provide incentives for the purchase or lease of medium duty and heavy duty  
 34 vehicles in commercial applications that are electric vehicles. For the purposes of this  
 35 section, "electric vehicle" means a battery electric vehicle as defined in Title 35-A, section  
 36 10126, subsection 1, paragraph A. The pilot program must be designed to demonstrate the  
 37 performance of the electric vehicles that are purchased or leased by pilot program  
 38 participants and gather information about the electric vehicles' costs, benefits and other  
 39 considerations relevant to their use and adoption in this State. The pilot program  
 40 participants must be limited to businesses with 500 or fewer employees, that have their  
 41 principal place of business in this State and that may use medium duty and heavy duty  
 42 vehicles, excluding school buses, rated Class 2b through Class 8 under the United States  
 43 Environmental Protection Agency classification system. In providing incentives for the  
 44 purchase or lease of medium duty and heavy duty vehicles under the pilot program, the  
 45 trust shall:

1 1. Ensure that at least 50% of funds used to provide incentives under the pilot program  
2 are provided to businesses with 50 or fewer employees;

3 2. Give preference to purchases or leases that use supply channels in this State; and

4 3. Prioritize vehicle types commonly used and commercially available in the State for  
5 which the duty cycle proposed by the business is suitable for the electric vehicle model as  
6 determined by the trust, while giving consideration for the amount and type of daily use  
7 and the potential to improve energy independence and reduce greenhouse gas emissions.

8 By December 31, 2026, the trust shall submit a report of the activities and findings of  
9 the pilot program to the joint standing committee of the Legislature having jurisdiction over  
10 energy matters. The committee may report out a bill related to the trust's report to the 133rd  
11 Legislature in 2027.'

12 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
13 number to read consecutively.

### 14 SUMMARY

15 This amendment replaces the bill, which is a concept draft, and does the following.

16 1. It replaces the term "rebate" in the electric vehicle rebate program with the term  
17 "incentive."

18 2. It increases the maximum retail price of an electric vehicle that may qualify for the  
19 electric vehicle incentive program from \$50,000 to \$55,000 and clarifies that, to qualify for  
20 an incentive, the requirement that the purchase or lease be from an in-state entity only  
21 applies to purchases or leases from licensed automobile dealers and authorized licensees of  
22 the original equipment manufacturer.

23 3. It allows the Efficiency Maine Trust to require that a recipient of an incentive under  
24 the electric vehicle incentive program maintain a Maine registration for 36 months to retain  
25 the full amount of the incentive instead of requiring ownership for 36 months.

26 4. It clarifies that the Efficiency Maine Trust must establish incentive amounts that it  
27 determines will most effectively increase the use of eligible electric vehicles in this State  
28 to advance the State's carbon reduction targets.

29 5. It requires the Efficiency Maine Trust, to the extent that funds allow, to establish a  
30 pilot program to provide incentives for the purchase or lease of medium duty and heavy  
31 duty vehicles in commercial applications that are electric vehicles and establishes eligibility  
32 requirements for participants in the pilot program.

33 6. It requires the Efficiency Maine Trust to provide a report to the joint standing  
34 committee of the Legislature having jurisdiction over energy matters on the activities and  
35 findings of the program by December 31, 2026.

### 36 FISCAL NOTE REQUIRED

37 (See attached)