

Part I	ADMINISTRATION OF THE GOVERNMENT
Title II	EXECUTIVE AND ADMINISTRATIVE OFFICERS OF THE COMMONWEALTH
Chapter 25A	DIVISION OF ENERGY RESOURCES
Section 16	PUBLIC ELECTRICAL VEHICLE CHARGING STATIONS

Section 16. (a) For the purposes of this section, the following words shall have the following meanings unless the context clearly requires otherwise:

"Electric vehicle", a battery electric vehicle that draws propulsion energy solely from an on-board electrical energy storage device during operation that is charged from an external source of electricity or a plug-in hybrid electric vehicle with an on-board electrical energy storage device that can be recharged from an external source of electricity which also has the capability to run on another fuel.

"Electric vehicle charging services", the transfer of electric energy from an electric vehicle charging station to a battery or other storage device in an electric vehicle and billing services, networking and operation and maintenance.

"Electric vehicle charging station", an electric component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles by permitting the transfer of electric energy to a

battery or other storage device in an electric vehicle.

"Network roaming", the act of a member of 1 electric vehicle charging station billing network using a charging station that is outside of the member's billing network with the member's billing network account information.

"Public electric vehicle charging station", an electric vehicle charging station located at a publicly available parking space.

"Publicly available parking space", a parking space that has been designated by a property owner or lessee to be available to and accessible by the public and may include on-street parking spaces and parking spaces in surface lots or parking garages; provided, however, that "publicly available parking space" shall not include a parking space that is part of or associated with a private residence or a parking space that is reserved for the exclusive use of an individual driver or vehicle or for a group of drivers or vehicles including employees, tenants, visitors, residents of a common interest development or residents of an adjacent building.

(b) A person shall not be required to pay a subscription fee to use a public electric vehicle charging station or be required to obtain a membership in a club, association or organization as a condition of using the station; provided, however, that owners and operators of public electric vehicle charging stations may have separate price schedules conditional on a subscription or membership.

(c) The owner or lessee of a publicly available parking space, whose primary business is not electric vehicle charging services, may restrict the use of that parking space, including by limiting use to customers and visitors of the business.

(d) The owner or operator of a public electric vehicle charging station shall provide payment options that allow access by the general public.

(e) The owner or operator of a public electric vehicle charging station or a designee shall disclose on an ongoing basis to the United States Department of Energy National Renewable Energy Laboratory, or other publicly available database designated by the department of energy resources, the station's geographic location, hours of operation, charging level, hardware compatibility, schedule of fees, accepted methods of payment and the amount of network roaming charges for nonmembers, if any.

(f) Nothing in this section shall preclude an electric company or distribution company, as defined in section 1 of chapter 164, from submitting a proposal to the department of public utilities for approval of cost recovery to construct, own, and operate publicly available electric vehicle charging infrastructure including charging stations; provided, however, that approval shall be granted only if a proposal is in the public interest, meets a need regarding the advancement of electric vehicles in the commonwealth and does not hinder the development of the competitive electric vehicle charging market.