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ARTICLE 19

RELATING TO ELECTRIC VEHICLE REBATE PROGRAM

SECTION 1. Title 42 of the General Laws entitled "State Affairs and Government" is hereby amended by adding thereto the following chapter:

CHAPTER 42-140.5

DRIVING RHODE ISLAND TO VEHICLE ELECTRICIFICATION PROGRAM

42-140.5-1. Purpose.

The purpose of this chapter is to promote and increase the deployment of light-duty electric vehicles; reduce long-term consumer fuel costs; and reduce greenhouse gas emissions in the transportation sector.

42-140.5-2. Definitions.

When used in this chapter, the following terms shall have the following meanings:

(1) "Applicant" means an individual who files an application to receive a rebate in connection with the purchase of an electric vehicle;

(2) "Application form" means a form to be submitted to and reviewed by the office of energy resources for the purposes of determining whether an applicant is eligible to receive an electric vehicle rebate;

(3) "Commissioner" means the commissioner of the office of energy resources.

(4) "Consumer information" means program literature, notifications, and other program information that is provided by the office of energy resources to consumers, auto dealerships, and other program stakeholders;

(5) "Office" means the office of energy resources established pursuant to § 42-140-2;

(6) "Program" means the electric vehicle rebate program established pursuant to § 42-140.5-3.

(7) "State" means the State of Rhode Island and Providence Plantations

42-140.5-3. Establishment of program.

There is hereby established an electric vehicle rebate program to be administered by the office for the purpose of providing rebates to eligible applicants in connection with the purchase or lease of an electric vehicle as defined in regulation. The program shall begin in fiscal year 2018 and expire at the conclusion of fiscal year 2022. For fiscal year 2018, two hundred and fifty

1 thousand dollars (\$250,000) shall be appropriated to the office for the purpose of paying out rebates
2 for the program. For each fiscal year thereafter, additional sums shall be appropriated to the office
3 for the purpose of paying out rebates until expiration of the program.

4 **42-140.5-4. Rules and regulations.**

5 The office shall establish, by rule and regulations adopted in accordance with chapter 35
6 of title 42, standards which shall determine the amount of electric vehicle rebates per vehicle make
7 and model, eligibility criteria for applicants, whether circumstances exist that require an applicant
8 to forfeit and/or return a rebate payment, and other necessary program criteria as determined by the
9 office. The rules and regulations established by the office shall make incentives available to drivers
10 licensed in the state and/or individuals who, in accordance with regulation, can sufficiently
11 demonstrate residency in the state. The office may amend the rules in accordance with chapter 35
12 of title 42.

13 **42-140.5-5. Rebate Program Limitations.**

14 Rebates granted through the program shall only be available in connection with the
15 purchase or lease of an electric vehicle sold within the state, unless otherwise determined by the
16 office pursuant to § 42-140.5-4. Payment of rebates granted to applicants through the program are
17 subject to the availability of funds and the total amount of rebate payments shall not exceed the
18 sum that has been appropriated through the state budget to the office for the purpose of paying out
19 rebates. At any time funds become unavailable, the office shall notify all pending applicants and
20 suspend the program until funds become available.

21 **42-140.5-6. Forms of application.**

22 The office shall develop and make available to the public program guidance and application
23 forms to enable consumer participation in the program. At a minimum, the application form shall
24 contain the following:

25 (i) Proof of purchase or lease, which may include an executed vehicle sales or lease
26 agreement, or other appropriate documentation as determined by the office;

27 (ii) The cost of the electric vehicle;

28 (iii) The make and model of the electric vehicle;

29 (iv) Identification of the auto dealership that sold or leased the electric vehicle;

30 (v) Relevant applicant information, including name and contact information, a copy of a
31 valid drivers license, and proof of residency as defined in regulation; and

32 (vi) Any other documentation required by program rules and regulations established by the
33 office pursuant to § 42-140.5-4.

34 **42-140.5-7. Review of applications.**

1 (1) The office shall review each incentive application form for compliance with the
2 provisions of this chapter and the provisions of any rules and regulations established pursuant to §
3 42-140.5-4. All eligibility determinations made by the office shall be provided to the applicant by
4 writing or electronic mail upon issuance, and shall set forth the reasons for any denial or reduction
5 of a requested rebate. If an applicant is aggrieved by a determination made by the office, the
6 applicant may appeal the decision to the commissioner. The appeal must be in writing and be
7 received by the commissioner within thirty (30) days of the determination date. The commissioner
8 may uphold, reverse or modify the office’s determination. The commissioner’s decision shall be
9 in writing and be made within thirty (30) days of receipt of the appeal, unless otherwise extended
10 by the commissioner for good cause. If the applicant is aggrieved by a determination made by the
11 commissioner, the applicant may seek judicial review pursuant to § 42-35-15.

12 **42-140.5-8. Annual Report.**

13 By October 1st of each year, the office shall publish an annual report on its website
14 summarizing the program’s activities for the previous fiscal year. At a minimum, the report shall
15 include the total amount of payments made through the program.

16 SECTION 2. This article shall take effect upon passage.