

§10126. Electric Vehicle Fund**(REALLOCATED FROM TITLE 35-A, SECTION 10124)**

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Battery electric vehicle" means a fully electric, zero-emission vehicle that has an on-board electrical energy storage device that is designed to be recharged using an external energy source. [PL 2019, c. 258, §1 (NEW); RR 2019, c. 1, Pt. A, §54 (RAL).]

B. [PL 2021, c. 402, §2 (RP).]

C. "Fund" means the Electric Vehicle Fund established in subsection 2. [PL 2019, c. 258, §1 (NEW); RR 2019, c. 1, Pt. A, §54 (RAL).]

D. "Plug-in hybrid electric vehicle" means a vehicle that uses an on-board electrical energy storage device that is designed to be recharged using an external energy source to power an electric motor and uses a petroleum-based fuel to power an internal combustion engine. [PL 2019, c. 258, §1 (NEW); RR 2019, c. 1, Pt. A, §54 (RAL).]

E. "Program" means the program established pursuant to subsection 3. [PL 2019, c. 258, §1 (NEW); RR 2019, c. 1, Pt. A, §54 (RAL).]
[PL 2021, c. 402, §2 (AMD).]

2. Fund established. The Electric Vehicle Fund is established as a nonlapsing fund administered by the trust to transform markets toward the adoption of electric vehicles and to support the purchase of electric vehicles in the State. Any interest earned on funds in the fund must be credited to the fund, and funds not spent in any fiscal year remain in the fund to be used in accordance with this section. The trust may receive and deposit in the fund funds from the following sources:

A. Federal funds and awards that may be used for the purposes of this section; [PL 2019, c. 258, §1 (NEW); RR 2019, c. 1, Pt. A, §54 (RAL).]

B. Any interest earned on investment of fund balances; and [PL 2019, c. 258, §1 (NEW); RR 2019, c. 1, Pt. A, §54 (RAL).]

C. Any other funds from public or private sources received in support of the purposes for which the fund is established. [PL 2019, c. 258, §1 (NEW); RR 2019, c. 1, Pt. A, §54 (RAL).]

The fund may be used for the program and other uses consistent with the purposes for which the fund is established.

[PL 2019, c. 258, §1 (NEW); RR 2019, c. 1, Pt. A, §54 (RAL).]

3. Rebate program established; eligibility. In accordance with the provisions of this section, the trust shall establish and administer a program that provides rebates for the purchase or lease of electric vehicles. A person may apply for and, as resources within the fund allow, receive a rebate 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 plug-in hybrid electric vehicle; purchased, or leased 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; and registered in the State, except that a vehicle is not eligible if it has a gross vehicle weight rating of 6,000 pounds or less, is not a truck or an off-road vehicle and has a manufacturer's suggested retail price greater than \$50,000. 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. Eligibility requirements for the recipient of the rebate must include that the recipient attests to a commitment to retain ownership, whether through purchase or lease, of the eligible electric vehicle for at least 36 months from the date of purchase or lease. The trust may require a recipient of

a rebate under this section who does not retain ownership of the eligible electric vehicle for at least 36 months to repay the trust up to the full amount of the rebate.

The trust shall establish the rebate amount for each eligible electric vehicle. The trust shall establish rebate amounts that it determines most effectively increase the purchase of eligible electric vehicles. For each model of an eligible electric vehicle, the trust may establish different rebate amounts based on the size of the vehicle battery. The trust may establish different rebate amounts for the purpose of providing reasonable opportunity for participation in the program across different customer groups and geographic areas. The trust may establish reasonable limits on the number of rebates per vehicle or per person.

[PL 2021, c. 402, §3 (AMD).]

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

[PL 2019, c. 258, §1 (NEW); RR 2019, c. 1, Pt. A, §54 (RAL).]

5. Rules. The trust may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2019, c. 258, §1 (NEW); RR 2019, c. 1, Pt. A, §54 (RAL).]

SECTION HISTORY

PL 2019, c. 258, §1 (NEW). RR 2019, c. 1, Pt. A, §54 (RAL). PL 2021, c. 402, §§2, 3 (AMD).

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