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AB-1174 Clean Transportation Program: eligible programs and projects: electric vehicle charging stations: vandalism deterrence. (2025-2026)

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Date Published: 02/21/2025 09:00 PM

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 1174

Introduced by Assembly Member Alanis

February 21, 2025

An act to amend Section 44272 of the Health and Safety Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1174, as introduced, Alanis. Clean Transportation Program: eligible programs and projects: electric vehicle charging stations: vandalism deterrence.

Existing law establishes the Clean Transportation Program, administered by the State Energy Resources Conservation and Development Commission, to provide funding to certain entities to develop and deploy innovative technologies that transform California's fuel and vehicle types to help attain the state's climate change policies. Existing law limits funding under the program to specified categories of programs and projects. Existing law creates the Alternative and Renewable Fuel and Vehicle Technology Fund, to be administered by the commission, and requires the moneys in the fund, upon appropriation by the Legislature, to be expended by the commission to implement the program.

This bill would add to the categories of programs and projects eligible for funding under the Clean Transportation Program programs and projects to deter and combat vandalism of publicly available electric vehicle charging stations.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 44272 of the Health and Safety Code is amended to read:

44272. (a) The Clean Transportation Program is hereby created. The program shall be administered by the commission. The commission shall implement the program by regulation pursuant to the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). The program shall provide, upon appropriation by the Legislature, competitive grants, revolving loans, loan guarantees, loans, or other appropriate funding measures to public agencies, California Native American tribes, tribal organizations, vehicle and technology entities, businesses

and projects, public-private partnerships, workforce training partnerships and collaboratives, fleet owners, consumers, recreational boaters, and academic institutions to develop and deploy innovative technologies that transform California's fuel and vehicle types to help attain the state's climate change policies. The emphasis of this program shall be to develop and deploy zero-emission technology and fuels in the marketplace where feasible and near-zero-emission technology and fuels elsewhere.

(b) The goals of the program shall be to advance the state's clean transportation, equity, air quality, and climate emission policies, including, but not limited to, any of the following:

- (1) Section 39719.2.
- (2) Section 39730.5.
- (3) Section 43024.2.
- (4) Section 44124.5.
- (5) Section 44391.2.
- (6) Section 25229 of the Public Resources Code.
- (7) Section 25327 of the Public Resources Code.
- (8) Section 14517 of the Government Code.

(c) On or after January 1, 2025, when developing the investment plan pursuant to Section 44272.5, the commission shall prioritize program investments into the following:

- (1) Deployment of infrastructure and other projects that advance or support the deployment of medium- and heavy-duty vehicles to meet the clean transportation, equity, air quality, and climate emission goals described in subdivision (b).
- (2) Deployment of light-duty vehicle infrastructure technology to fill deployment gaps identified pursuant to Sections 25229 and 25231 of the Public Resources Code and advance the goals identified in Executive Order No. N-79-20.

(d) On and after January 1, 2025, no less than 50 percent of investments expended pursuant to subdivision (a) shall be expended in accordance with Section 44272.1.

(e) A project that receives more than seventy-five thousand dollars (\$75,000) in funds from the commission shall be approved at a noticed public meeting of the commission and shall be consistent with the priorities established by the investment plan adopted pursuant to Section 44272.5. Under this article, the commission may delegate to the commission's executive director, or the executive director's designee, the authority to approve either of the following:

- (1) A contract, grant, loan, or other agreement or award that receives seventy-five thousand dollars (\$75,000) or less in funds from the commission.
- (2) Amendments to a contract, grant, loan, or other agreement or award ~~as long as~~ *if* the amendments do not increase the amount of the award, change the scope of the project, or modify the purpose of the agreement.

(f) The commission shall provide preferences to those projects that maximize the goals of the Clean Transportation Program, based on the following criteria, as applicable:

- (1) The project's consistency with existing and future state climate change policy and low-carbon fuel standards.
- (2) The project's ability to reduce greenhouse gas emissions, criteria air pollutants, and air toxics, and reduce or avoid multimedia environmental impacts.
- (3) The project does not adversely impact the sustainability of the state's natural resources, especially state and federal lands.
- (4) The project provides nonstate matching funds. Costs incurred from the date a proposed award is noticed may be counted as nonstate matching funds. The commission may adopt further requirements for ~~the~~ purposes of this paragraph. The commission is not liable for costs incurred pursuant to this paragraph if the commission does not give final approval for the project or the proposed recipient does not meet requirements adopted by the commission pursuant to this paragraph.
- (5) The project provides economic benefits for California by promoting California-based technology firms, jobs, and businesses.
- (6) The project uses existing or proposed fueling infrastructure to maximize the outcome of the project.

(7) The project drives new technology advancement for vehicles, vessels, engines, and other equipment, and promotes the deployment of that technology in the marketplace.

(8) The project's ability to transition workers to, or promote employment in, zero-emission fuel and vehicle technology where feasible and near-zero-emission fuel and vehicle technology elsewhere.

(9) The project is in a nonattainment area pursuant to the federal Clean Air Act (42 U.S.C. Sec. 7401 et seq.), and, if applicable, preference shall be given to projects in the highest designation of nonattainment.

(10) The project advances the comprehensive strategy for vehicles pursuant to Section 43024.2.

(g) The commission shall rank applications for projects proposed for funding awards based on solicitation criteria developed in accordance with subdivision (f), and shall give additional preference to funding those projects with higher benefit-cost scores.

(h) Only the following shall be eligible for funding:

(1) Zero-emission fuel projects where feasible and near-zero-emission fuel projects elsewhere to develop and improve zero-emission and near-zero-emission fuels, including electricity, renewable diesel, hydrogen, and biomethane, among others, and their feedstocks that have high potential for long-term or short-term commercialization, including projects that lead to sustainable feedstocks.

(2) Demonstration and deployment projects that optimize zero-emission fuels and infrastructure where feasible and near-zero-emission fuels and infrastructure elsewhere for existing and developing technologies.

(3) Projects to produce alternative and renewable low-carbon fuels in California.

(4) Projects to decrease the overall impact of an alternative and renewable fuel's life-cycle carbon footprint and increase sustainability.

(5) Zero-emission fuel infrastructure, fueling stations, and equipment where feasible and near-zero-emission fuel infrastructure, fueling stations, and equipment elsewhere.

(6) Projects to develop and improve light-, medium-, and heavy-duty vehicle technologies that provide for better fuel efficiency and lower greenhouse gas emissions, alternative fuel usage and storage, or emission reductions, including propulsion systems, lightweight materials, intelligent transportation systems, energy storage, control systems and system integration, physical measurement and metering systems and software, development of design standards and testing and certification protocols, battery recycling and reuse, engine and fuel optimization electronic and electrified components, hybrid technology, plug-in hybrid technology, battery electric vehicle technology, fuel cell technology, and conversions of hybrid technology to plug-in technology through the installation of safety certified supplemental battery modules.

(7) Programs and projects that accelerate the commercialization of zero-emission vehicles, fuels, and infrastructure where feasible and near-zero-emission vehicles, fuels, and infrastructure elsewhere, including buy-down programs through near-market and market-path deployments, advanced technology warranty or replacement insurance, development of market niches, supply-chain development, and research related to the pedestrian safety impacts of vehicle technologies and alternative and renewable fuels.

(8) Programs and projects to retrofit medium- and heavy-duty on-road and nonroad vehicle fleets with zero-emission technologies where feasible and near-zero-emission technologies elsewhere that create higher fuel efficiencies, including alternative and renewable fuel vehicles and technologies, idle management technology, and aerodynamic retrofits that decrease fuel consumption.

(9) Infrastructure projects that promote zero-emission infrastructure development where feasible and near-zero-emission fuel infrastructure development elsewhere connected with existing fleets, public transit, and existing transportation corridors, including physical measurement or metering equipment and truck stop electrification.

(10) Workforce training programs related to the development and deployment of technologies that transform California's fuel and vehicle types and assist the state in implementing its climate change policies, including, but not limited to, zero-emission vehicles, technologies, fuels, and infrastructure where feasible and near-zero-emission vehicles, technologies, fuels, and infrastructure elsewhere; automotive computer systems; mass transit fleet conversion, servicing, and maintenance; and other sectors or occupations related to the purposes of this chapter, including training programs to transition dislocated workers affected by the state's greenhouse gas emission policies, including those from fossil fuel sectors, or training programs for low-skilled workers to enter or continue in a career pathway that leads to middle skill, industry-recognized credentials or state-approved apprenticeship opportunities in occupations related to the purposes of this chapter.

(11) Block grants or incentive programs administered by public entities or not-for-profit technology entities for multiple projects, education and program promotion within California, and development of zero-emission fuel and vehicle technology centers. The commission may adopt guidelines for implementing the block grant or incentive program, which shall be approved at a noticed public meeting of the commission.

(12) Life-cycle and multimedia analyses, sustainability and environmental impact evaluations, and market, financial, and technology assessments performed by a state agency to determine the impacts of increasing the use of zero-emission transportation fuels and technologies, and to assist in the preparation of the investment plan and program implementation.

(13) A program to provide funding for homeowners who purchase a plug-in electric vehicle to offset costs associated with modifying electrical sources to include a residential plug-in electric vehicle charging station. In establishing this program, the commission shall consider funding criteria to maximize the public benefit of the program.

(14) Programs and projects to deter and combat vandalism of publicly available electric vehicle charging stations, including, but not limited to, the theft of charging cables.

(i) (1) The commission shall require the following data to be reported to the commission, consistent with paragraph (2), as a condition of accepting a grant issued pursuant to this section:

(A) For a hydrogen-refueling station grant recipient, the availability of operational fueling nozzles, whether hydrogen is available for refueling at that station, the volume of hydrogen dispensed, the number of vehicles fueled by a station, and any other data deemed necessary by the commission to monitor reliability and accessibility of the refueling infrastructure.

(B) For an electric vehicle charging station grant recipient, the availability of operational charging plugs, whether the station was energized, the volume of electricity in ~~kilowatt hours~~ *kilowatthours* used to charge by vehicles, the number of vehicles charged by ~~a~~ *the* station, and any other data deemed necessary by the commission to monitor reliability and accessibility of the charging infrastructure.

(2) The commission shall require this data to be measured no less frequently than on a daily basis and reported electronically to the commission no less frequently than quarterly.

(j) (1) The commission may make a single source or sole source award pursuant to this section to either of the following:

(A) A public or nonpublic entity that manages a United States Department of Energy national laboratory.

(B) A public or nonpublic entity for an applied research project.

(2) The same requirements set forth in Section 25620.5 of the Public Resources Code shall apply to awards made on a single source basis or a sole source basis.

(k) (1) For purposes only of any hydrogen application scoring pursuant to this section, the commission shall provide preference to applicants with the least carbon-intensive proposed fuel, measured well-to-gate, consistent with the clean hydrogen federal tax credit created by Section 45V of Title 26 of the United States Code using the order of tiers created by the regulations adopted pursuant to that section to score hydrogen grant applications, upon the effective date of regulations issued by the United States Department of the Treasury for that tax credit.

(2) This scoring preference does not establish a new hydrogen standard and shall only be used to score applications submitted to the program established pursuant to this section.

(l) The commission shall require the awardees of funding pursuant to this section for any hydrogen-fueling infrastructure to provide to the commission the source and carbon intensity of the hydrogen produced for, or dispensed by, hydrogen-fueling stations, as measured by the methodology in the Low Carbon Fuel Standard regulation (Subarticle 7 (commencing with Section 95480) of Article 4 of Subchapter 10 of Chapter 1 of Division 3 of Title 17 of the California Code of Regulations).

(m) The commission shall require the awardees of funding pursuant to this section for any electric vehicle charging infrastructure to report to the commission the source and greenhouse gas emissions intensity, on an annual basis, of the electricity used and dispensed by electric vehicle charging stations at the meter, consistent with the disclosure methodology set forth in Article 14 (commencing with Section 398.1) of Chapter 2.3 of Part 1 of Division 1 of the Public Utilities Code.

(n) The commission may do all of the following:

(1) Contract with the Treasurer to expend funds through programs implemented by the Treasurer, if the expenditure is consistent with all of the requirements of this article and Article 1 (commencing with Section 44270).

(2) Contract with small business financial development corporations established by the Governor's Office of Business and Economic Development to expend funds through the Small Business Loan Guarantee Program if the expenditure is consistent with all of the requirements of this article and Article 1 (commencing with Section 44270).

(3) Advance funds, pursuant to an agreement with the commission, to any of the following:

(A) A public entity.

(B) A nonpublic entity managing a United States Department of Energy national laboratory.

(C) A recipient to enable it to make advance payments to a public entity that is a subrecipient of the funds and under a binding and enforceable subagreement with the recipient.

(D) An administrator of a block grant program.

(o) The commission shall collaborate with entities that have expertise in workforce development to implement the workforce development components of this section, including, but not limited to, the California Workforce Development Board, the Employment Training Panel, the Employment Development Department, and the Division of Apprenticeship Standards.