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An Overview and Resource Guide for the U.S. National Electric Vehicle Infrastructure Formula Program for the Toll Industry

This document is a summary of more detailed materials available from the Federal Highway Administration and the Joint Office of Energy and Transportation on the requirements and guidance for the National Electric Vehicle Infrastructure Program. Toll operators interested in a role in the program and potential access to federal funding should consult the references provided in this summary and begin a conversation with their respective State Department of Transportation about how to contribute to their State's plan.

The National Electric Vehicle Infrastructure (NEVI) Program

The Infrastructure Investment and Jobs Act (IIJA), also referred to as the Bipartisan Infrastructure Law (BIL), established a National Electric Vehicle Infrastructure (NEVI) Formula Program to provide funding to States to strategically deploy electric vehicle (EV) charging infrastructure and to establish an interconnected network to facilitate data collection, access, and reliability.

The IIJA directs the Federal Highway Administration (FHWA) to apportion NEVI Formula Program funding among States (including the District of Columbia and Puerto Rico) on a formula basis. This means **toll operators that are not part of a State department of transportation will need to coordinate with their State DOT to have their facilities and funding requests included in State plans**. Under the formula, each State receives a share of program funding equal to the State's share of the combined amount that FHWA distributes in Federal-aid highway apportionments and Puerto Rico Highway Program funding.

NEVI Formula funds will not be made available to a State for obligation until the State has submitted to the newly created Joint Office of Energy and Transportation a State Electric Vehicle Infrastructure Deployment Plan and the FHWA has approved that Plan.

The NEVI Formula Program allocates \$5.0 billion equally over the five years of the of the BIL.

National Electric Vehicle Infrastructure Formula Program

	FAST Act (extension)	Bipartisan Infrastructure Law (BIL)				
Fiscal year (FY)	2021	2022	2023	2024	2025	2026
Advance appropriation (General Fund)	---	\$1.000 B	\$1.000 B	\$1.000 B	\$1.000 B	\$1.000 B

An additional \$2.5 billion will be allocated over five years for a discretionary community grant program, funding deployment of publicly accessible alternative fueling and charging infrastructure for vehicles traveling along designated alternative fuel corridors and within communities. The community grant program requirements have not been announced yet but are intended to target charging and alternative fuel on public roads, schools, parks, and in publicly accessible parking facilities. Priority is for rural areas, low-and moderate-income neighborhoods, and communities with low private parking availability.

This program includes a broad list of eligible entities that would include most toll operators and allows for up to 80 percent of eligible project costs to be paid for with federal funds.

The New Joint Program Office of Energy and Transportation

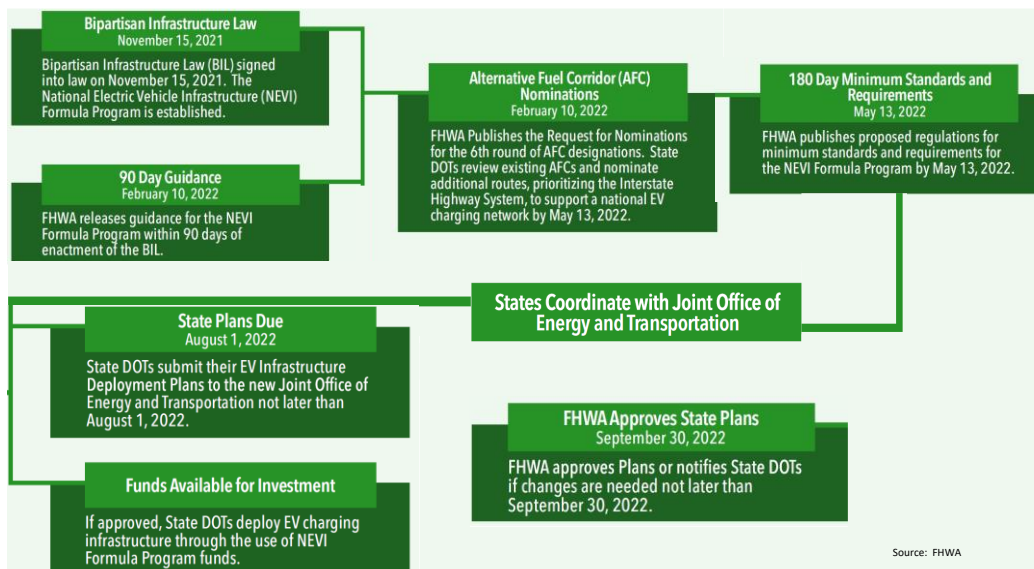
On December 14, 2021, the Joint Office of Energy and Transportation was created through the BIL to facilitate collaboration and align resources and expertise across the US Department of Transportation (USDOT) and US Department of Energy (USDOE). The office will be an essential resource in the implementation of the BIL, providing support and expertise to a multitude of programs that seek to deploy a network of electric vehicle chargers, zero-emission fueling infrastructure, and zero-emission transit and school buses. The scope of the Joint Office will evolve as more is learned about key issues and proposed solutions, aiming for successful State plans that will achieve performance goals and outcomes

The Joint Office of Energy and Transportation has established a website ([DriveElectric.gov](https://driveelectric.gov)) designed for engagement with States and stakeholders in developing successful State plans, including valuable technical resources. These resources include technical assistance with a “concierge” service to direct and respond to inquiries, as well as an array of tools and data. Available data sets and tools include:

- Existing Charging Infrastructure Locations and designated Alternative Fuel Corridors
- EV Program Development Tools including a clearinghouse of State EV program documents, current state-level EV roadmaps, and best practices from the Alternative Fuel Corridors program
- Network and Environmental Data with external factors support State Plans such as laws and incentives, experts from the Clean Cities Coalition Network, Fatality Analysis Reporting System (FARS) data, cybersecurity risk planning from the National Institute of Standards and Technology, and the Highway Performance Monitoring System (HPMS) inventory of public roads to assist planning charging corridors
- Modeling Tools
- Equity and Climate Impact Tools.

Toll organizations can learn much more detail with the NEVI Guidance document.

The NEVI Formula Program Schedule and Process

















Request for Nominations: Alternative Fuel Corridors Round 6

The FHWA announced its [request for nominations for Round 6 of Alternative Fuel Corridors](#) on February 10, 2022. Since the FAST Act enactment in 2015, five rounds through 2020 have designated roads as “alternative fuel corridors.” These designations hold greater importance because designations are now tied to the NEVI Formula Program funding. The FHWA encourages nominations that focus on EV charging infrastructure along Interstate Highway corridors, but nominations may also be submitted elsewhere on the National Highway System (NHS). If there are segments of Interstate Highways that do not currently have an EV designation, FHWA encourages the States to prioritize these segments for Round 6 nominations. The Joint Office plans an annual process to update corridor designations.

The Alternative Fuel Corridor designation criteria for EVs require a maximum of 50 miles between public charging facilities and no more than 1 mile from an Interstate Highway. Federal funds under the NEVI Formula Program will be directed to “corridor ready” designated roadways.

Alternative Fuel Corridor Designation Criteria

“Corridor-Ready” Designation	“Corridor-Pending” Designation
Electric - Public DC Fast Charging Capability	Electric - Public DC Fast Charging Capability
 < 50 miles between stations/sites.	 A strategy/plan and timeline for public DC fast charging stations fulfilling Corridor-Ready requirements.
 < 1 mile from Interstate Highway.	
 Stations include 4 Combined Charging System (CCS) connectors (Type 1 ports) simultaneously charging 4 EVs.	
 Site power capability should be ≥ 600 kW (≥ 150 kW/port).	
 Maximum charge power per DC port should ≥ 150 kW	
Hydrogen, Propane, CNG <small>(3,600 psi)</small>	Hydrogen, Propane, CNG <small>(3,600 psi)</small>
 < 150 miles between stations/sites.	 < 150 miles between stations/sites.
 < 5 mile from Interstate Highway interchanges.	 < 5 mile from Interstate Highway interchanges.
LNG	LNG
 < 200 miles between stations/sites.	 < 200 miles between stations/sites.
 < 5 mile from Interstate Highway interchanges.	 < 5 mile from Interstate Highway interchanges.

FHWA summarizes its interest in alternative fuel corridors with the following objectives:

- Greatest reduction in GHG gas emissions, with a priority along Interstate corridors.
- Conversion of “corridor-pending” to “corridor-ready” corridors.
- Expand access within rural and disadvantaged communities.
- Target > 40% of resources and benefits to disadvantaged communities in line the [White House Interim Justice 40 Guidance](#), to the extent possible, with significant community engagement.
- Connect to Federal Land Management Agency units (e.g., National Parks, Forests, Fish & Wildlife).
- Meet current or anticipated market demands for charging or fueling infrastructure.
- Enable/accelerate infrastructure that would not likely be completed without Federal assistance.
- Support a long-term competitive market that does not significantly impair existing providers.
- Provide access to charging/fueling infrastructure in areas with a current or forecasted need.
- Establish charging/fueling plans for medium- and heavy-duty vehicles along the National Highway Freight Network and in proximity to intermodal transfer stations; nominations that take into consideration the next fueling site over State or international borders are encouraged.
- Coordinate with NEVI Formula Program State Plans and other DOT programs (e.g., State Freight Plans and Long-Range Transportation Plans).

NEVI Formula Program Guidance

IBTTA Input to FHWA

On January 28, 2020, IBTTA submitted a response the FHWA's Request for Information on shaping the guidance for the NEVI Formula Program. Our response addressed each of the statutory requirements established in the BIL. You can read IBTTA's full response [here](#). Our key points are summarized below.

1. **The distance between publicly available EV charging infrastructure.** Address networks gaps and proximity of off-highway charging locations to highway interchanges.
2. **Connections to the electric grid; vehicle-to-grid integration to minimize grid impacts; alignment with electric distribution; and plans for renewable energy use.** Promote least-cost mitigation to minimal grid impacts through demand management.
3. **Proximity of existing off-highway demand points to funded EV charging infrastructure.** Direct greater investment in low-income areas to address lack of viable home charging availability.
4. **Needs for publicly available EV charging in rural, underserved, or disadvantaged areas.** Encourage investment in rural and disadvantaged areas through program incentives or set asides.
5. **O&M of EV charging infrastructure to avoid stranded assets and protect investment.** Promote flexible service contracts to leverage future cost savings and economies of scale. Leverage ancillary revenue generation at charging locations for financial support.
6. **Existing EV charging infrastructure programs and incentives.** Ensure balanced federal investments benefitting private citizens and small fleets and aligned with high growth regions and supportive state programs. Encourage open data exchange standards, communication protocols, and equipment interfaces.
7. **Fostering public-private or private investment in EV charging infrastructure.** Encourage public-private infrastructure cost sharing and business approaches. Use federal grants to kick-start investment, not fund ongoing O&M expenses. Revise Title 23 U.S. Code Section 1111 to remove barriers to electricity sales along federal-aid highways while users travel along the rights of way; this may encourage investment in electric roads with inductive charging supported by user-payments as a revenue source.
8. **Meeting current and future demands for EV charging (i.e., power levels, charging speed, charging times).** Use managed charging approaches to encourage charging during low-demand hours, flexible equipment deployment among Level 2 and DC fast chargers, and interoperability across operating and commercial systems. Require comprehensive cost analyses to encompass life-cycle economics, soft costs, and grid impacts.
9. **Other factors that USDOT should consider.** Provide states the flexibility to transfer formula funds to a state, multi-state or local public tolling agency that owns or operates a toll facility that is a public road, bridge, or tunnel.

FHWA NEVI Formula Program Guidance Document

On February 10, 2022, FHWA released its [NEVI Formula Program Guidance document](#), establishing a submission **deadline for State EV Charging Infrastructure Plans to the Joint Office of Energy and Transportation by August 1, 2022**. The Federal Highway Administration (FHWA) will review Plans and determine whether they are approved by September 30, 2022. No State may obligate its apportioned NEVI Formula Funds for EV charging infrastructure projects until that State's Plan has been submitted to the Joint Office and approved by FHWA but staffing and development of the Plan will be eligible for reimbursement in accordance with the statutory provisions in the BIL. States that submit Plans before the deadline will be approved by FHWA on a rolling basis, providing an opportunity for early action by States. The Joint Office is encouraged early and ongoing engagement to ensure responsive State Plans.

The Federal cost-share for the NEVI Formula Program is 80 percent, with private and State funds eligible as sources for the remaining local cost-share. NEVI Program funds can be spread by combining them with other eligible USDOT funding for EV charging infrastructure projects, as long as the eligibility requirements are met for both programs and the total Federal share ≤ 80 percent. The table below indicates other USDOT funding programs that have eligibility to EV charging infrastructure.

USDOT Funding & Financing Programs with EV Eligibilities

FORMULA PROGRAMS	FY 2022 ¹ AMOUNT						
National Highway Performance Program (NHPP)	\$28.4 B ²						
Surface Transportation Block Grant Program (STBG)	\$12.5 B ^{2,3}						
Congestion Mitigation & Air Quality Improvement Program (CMAQ)	\$2.5 B ²						
National Highway Freight Program (NHFP)	\$1.4 B ²						
State Planning and Research (SPR)	\$983.3 M ⁴						
Metropolitan Planning (PL)	\$438.1 M ⁴						
Carbon Reduction Program	\$1.2 B ^{5,6}						
National Electric Vehicle (NEVI) Formula Program	\$685 M ^{2,5,6}						
DISCRETIONARY PROGRAMS							
Rebuilding American Infrastructure with Sustainability and Equity (RAISE) (formerly known as BUILD)	\$1.5 B						
Infrastructure for Rebuilding America (INFRA) Grant Program	\$1.64 B ^{2,7}						
Advanced Transportation and Technologies and Innovative Mobility Deployment	\$60 M ⁸						
Discretionary Grant Program for Charging and Fueling Infrastructure	\$300 M ^{9,10}						
Rural Surface Transportation Grant Program	\$300 M ^{9,10}						
Reduction of Truck Emissions at Port Facilities Program	\$80 M ^{2,5,7}						
OTHER ALLOCATED PROGRAMS							
Federal Lands and Tribal Transportation Program (FLTTP)	\$1.3 B ^{2,8}						
Puerto Rico Highway Program (PRHP)	\$173 M ⁸						
Territorial Highway Program (THP)	\$46 M ⁸						
INNOVATIVE FINANCE PROGRAMS							
State Infrastructure Banks (SIBs)	Varies						
Transportation Infrastructure Financing and Innovation Act (TIFIA)	\$250 M ⁸						

Construction and installation of EV charging infrastructure including parking facilities and utilities.	Workforce development and training related to EV infrastructure.	EV acquisitions and program conversions - cars or trucks.	Planning for EV charging infrastructure and related projects.	Construction and installation of EV charging infrastructure to support operational, efficiency, national energy security, environmental, and community goals for freight transportation.	Installation of EV charging infrastructure as part of transit capital projects eligible under chapter 53 of title 49 United States Code.

¹ All eligibility determinations are fact specific. Limitations may apply. Additional low and zero-emission fuel types also may be eligible under these programs. Note: Total (in millions and billions, rounded to one decimal place)

² This table is limited to amounts made available for FY 2022. Unobligated balances of funds made available in prior fiscal years may also remain available for EV eligibilities. For FY 2021 amounts made available for EV eligibilities, see Federal Funding is Available For Electric Vehicle Charging Infrastructure On the National Highway System, April 2021, page 3.

³ Highway authorizations under the Bipartisan Infrastructure Law. Set-asides have not been excluded except where specifically noted. https://www.fhwa.dot.gov/bipartisan-infrastructure-law/docs/highway_authorizations_nov302021.pdf

⁴ Amount does not include the Transportation Alternatives set-aside.

⁵ Amount includes set-asides.

⁶ New funding program under Bipartisan Infrastructure Law. Pending program establishment. Please refer to program specific guidance.

⁷ Reflects the net amount after set-asides for FHWA operations and administration and for the Joint Office of Energy and Transportation.

⁸ Amount includes contract authority from the Highway Trust Fund and amounts appropriated in the Bipartisan Infrastructure Law.

⁹ Includes EV funding eligibilities under one or more FLTTP programs.

Source: FHWA

The NEVI Program Guidance document has a wealth of information in terms of the format and content expected from State Plan submissions. The Joint Office is actively advising organizations interested in contributing to these plans to engage their respective State DOT and to use the Joint Office as a Technical resource early in the development of each Plan. It is incumbent on toll operators interested in participating in their State’s EV charging infrastructure solutions to engage early and address technical and business issues with their respective DOT and the Joint Office.

State NEVI Plan Template

The general format for State submissions should address the following points (refer to the NEVI Program Guidance document for additional details and the prescribed template available at [DriveElectric.gov](https://www.driveelectric.gov)).

- 1. Introduction** - study area, analysis dates, and adoption.
- 2. State Agency Coordination** - with energy/environment department in developing and approving the Plan.
- 3. Public and Stakeholder Engagement**
- 4. Plan Vision and Goals** - statewide/national EV network; outcome-oriented goal with a quantitative target.
- 5. Contracting** - private entities for installation, operation, and/or maintenance of EV charging.
- 6. Existing and Future Conditions** - geographic challenges, temperature, precipitation, EV market conditions, public transportation needs, freight needs, grid capacity, electric utilities available, land uses, travel patterns, existing EV charging infrastructure, etc.
- 7. EV Charging Infrastructure Deployment** - installation strategy prioritizing build-out along Interstate Highways.

8. **Implementation** - operations and maintenance, data collection, and sharing.
9. **Civil Rights** - compliance with State/Federal laws (e.g., Title VI, ADA, etc.)
10. **Equity Considerations** - for rural, underserved, and disadvantaged communities, including suppliers/contractors.
11. **Labor and Workforce Considerations** - training, experience, and diversity of workforce.
12. **Cybersecurity** - software updates and protections from malicious code.
13. **Program Evaluation** - performance metrics (e.g., EV charging infrastructure usage, reliability, customer satisfaction, equitable distribution/access GHG emissions, etc.).
14. **Discretionary Exceptions** - requests for discretionary exceptions from requirements and supporting rationale Early communications from the Joint Office favor identifying technical solutions to address issues rather than granting of exceptions.

NEVI Project Eligibility

NEVI Formula Program funds are reserved for projects that are directly related to EV charging infrastructure that is open to the public or to authorized commercial motor vehicle operators from more than one company. The NEVI Formula Program funds may be used for the following purposes:

1. The acquisition and installation of EV charging infrastructure to serve as a catalyst for the deployment of such infrastructure and to connect it to a network to facilitate data collection, access, and reliability.
2. Operating assistance for costs allocable to operating and maintaining EV charging infrastructure acquired or installed under this program, for a period not to exceed five years. States should focus NEVI Formula Program funding for operating assistance to only those locations that most require operating assistance that will ensure a contiguous, national network or to address equity issues in rural and urban areas where current levels of EV ownership make lower utilization more likely.
3. Development phase activities for the acquisition of stations and equipment as well as installation of EV charging infrastructure, which may include feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities.
4. Traffic control devices and on-premise signs to provide information about EV charging infrastructure employed.
5. Data sharing about EV charging infrastructure to ensure the long-term success of investments.
6. The acquisition or installation of traffic control devices located in the right-of-way to provide directional information to EV charging infrastructure acquired, installed, or operated.
7. Mapping and analysis activities to: evaluate locations of current and future EV owners, identify disadvantaged communities with the greatest disparity of EV investments, forecast EV travel patterns and electricity requirements, estimate the concentrations of EV charging sites to meet current and future demand, estimate future EV charging stations needs to support EV adoption and use, and develop an analytical models to allow a city, county, regional and local agencies to compare and evaluate adoption and use scenarios.



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