

U.S. Department of Transportation

SUPPORTING STATEMENT

Charging and Fueling Infrastructure Discretionary Grant Program OMB Control No. XXXX

Introduction: This is to request the Office of Management and Budget (OMB) approve a 180-day clearance for the information collection entitled, Charging and Fueling Infrastructure Discretionary Grant Program. This program provides two grant categories: (1) Community Program Grants (Community Program); and (2) Alternative Fuel Corridor Grants (Corridor Program). The Federal Highway Administration on behalf of the US DOT Secretary provides financial assistance through the Charging and Fueling Infrastructure Program.

- Responding to the collection is voluntary and is required to obtain or retain a benefit.
- Responders to the CFI Discretionary Grant Program are a State or political subdivision of a State, a metropolitan planning organization, a unit of local government, a special purpose district or a public authority with a transportation function, an Indian Tribe, a territory of the United States, or an authority, agency, or instrumentality of, or an entity owned by, 1 or more entities described above, a group of entities as described above and a State or local authority with ownership of publicly accessible transportation facilities (Community Program only).
- The collection is a grant application, grant agreement, and project management.
- The information is collected as needed.
- Information relevant to the application is detailed in the Notice of Funding Opportunity (NOFO) and includes any reporting requirements agreed to by grant recipients.
- The information will be received by the FHWA.
- The purpose of the collection is to receive information relevant to evaluating applications to the CFI Grant program, per the NOFO, and reporting requirements agreed to by recipients of the Grants.

This ICR supports the FY 2022 – 2026 DOT Strategic Plan, including the six strategic goals of:

1. Safety
2. Economic Strength & Global Competitiveness
3. Equity
4. Climate & Sustainability
5. Transformation
6. Organizational Excellence

Part A. Justification.

1. Circumstances that make collection of information necessary:

The collection of information is necessary in order to receive applications for grant funds, evaluate the effectiveness of projects that have been awarded grant funds, and monitor project financial conditions and project progress pursuant to the Department's Charging and Fueling Infrastructure (CFI) Program. The CFI Program was established by the Bipartisan Infrastructure Law (BIL) (enacted as the Infrastructure Investment and Jobs Act, Section 11401, Pub. L. 117–58, Nov. 15, 2021, codified at 23 U.S.C. § 151 (f)). The purpose of this program is to establish a grant program for eligible entities to strategically deploy publicly accessible charging and fueling infrastructure along designated alternative fuel corridors or in certain other community locations that will be accessible to all drivers of electric, hydrogen, propane, and natural gas vehicles (23 U.S.C. § 151 (f)).

DOT requests information from applicants in the form of an application. The application will assist in soliciting proposals for funding from eligible applicants for the grant program, to monitor the grant program recipients, project progress, and assess project outcomes.

The relevant sections of the Bipartisan Infrastructure Law (BIL) (enacted as the Infrastructure Investment and Jobs Act, Section 11401, Pub. L. 117–58, Nov. 15, 2021, codified at 23 U.S.C. § 151 (f)) are attached hereto as Exhibit A.

The reporting requirements are submitted by recipients and will be completed during the application stage, grant agreement stage, and the project management.

Application Stage

To be considered to receive a Charging and Fueling Infrastructure Program grant, an eligible applicant must submit an application to FHWA containing information as detailed in the Notice of Funding Opportunity. The project narrative should include the information necessary for FHWA to determine that the project satisfies eligibility requirements as warranted by law.

Grant Agreement Stage

The grant agreement is an agreement between FHWA and the recipient. In the grant agreement, the recipient must describe the project that FHWA agreed to fund, which is typically the project that was described in the Charging and Fueling Infrastructure Program application, or a reduced-scope version of that project. The grant agreement must also include a detailed breakdown of the project schedule and a budget listing all major activities that will be completed as part of the project.

Project Management Stage

The reporting requirements under this stage are necessary to ensure the proper and timely expenditure of federal funds within the scope of the approved project. The

requirements comply with the Common Grant Rule and are also included in sections of the grant agreement. During the project management stage, the grantee will complete Quarterly Progress and Monitoring Reports to ensure that the project budget and schedule will be maintained to the maximum extent possible, that the project will be completed with the highest degree of quality, and that compliance with Federal regulations will be met. The substantive requirements of the report include: the project's overall status; significant project activities and issues; action items/outstanding issues; project scope overview; project schedule; project cost; an SF-425 Federal Financial Report; and certifications. This reporting requirement will greatly reduce the need for on-site visits by staff.

2. How, by whom, and for what purpose is the information used:

The information collected will be used by FHWA.

FHWA will continue to use the information collected in the application phase to evaluate proposals and make decisions to award grants to applicants for any future similar appropriations.

FHWA will use the information to monitor the progress of projects that have been awarded Charging and Fueling Infrastructure Program funds, and to monitor the proper expenditure of Federal funds.

The project management information will be collected by grant recipients. Much of the information will be produced and collected through the normal process of project management, so the additional burden of Government information collection is small in comparison to the information that grant recipients already collect to manage their projects properly. The purpose of the project management information collection is to ensure that the project budget and schedule will be maintained to the maximum extent possible, that the project will be completed with the highest degree of quality, and that compliance with Federal regulations will be met.

3. Extent of automated information collection:

The Department will receive applications and reports electronically via email and via websites from grant awardees upon approval from OMB. Certain agencies within the Department have found that delivery of reports electronically is the most reliable way to collect information and will use their existing grant administration systems to collect the information covered under this request. To minimize the burden on applicants, OMB approved standard forms are being used to collect information where possible. Such standard forms include the Application for Federal Assistance (SF-424), available online at https://apply07.grants.gov/apply/forms/sample/SF424_2_1-V2.1.pdf, and the post-award Federal Financial Reports form (SF-425), available online at https://apply07.grants.gov/apply/forms/sample/SF425_2_0-V2.0.pdf.

All information submitted as part of or in support of any application shall use publicly available data or data that can be made public. If the application includes

information the applicant considers to be a trade secret or confidential commercial or financial information, the applicant should do the following: (1) Note on the front cover that the submission “Contains Confidential Business Information (CBI)”; (2) Mark each affected page “CBI”; and (3) Highlight or otherwise denote the CBI portions. DOT protects such information from disclosure to the extent allowed under applicable law. In the event DOT receives a Freedom of Information Act (FOIA) request for the information, DOT will follow the procedures described in its FOIA regulations at 49 CFR 7.17. Only information that is ultimately determined to be confidential under that procedure will be exempt from disclosure under FOIA.

4. Efforts to identify duplication:

The information collected from grantees is project specific and the information is not available other than from the grantees. The information will be used to monitor projects on a quarterly basis, and to ensure on an annual basis that the project’s plan conforms to the project’s real operating environment.

5. Efforts to minimize the burden on small businesses:

Grantees include local and regional governments, tribal governments, MPOs, other political subdivisions of State or local governments such as cities and counties. No grantees are business organizations, small or otherwise.

6. Impact of less frequent collection of information:

If the information requested in the reports is not collected, the Department will not be able to evaluate project progress or financial conditions in accordance with the Bipartisan Infrastructure Law (23 U.S.C. § 151 (f)) and the Notice of Funding Opportunity for the program published in the *Federal Register*. The quarterly collection of financial data ensures that the use of Federal funds can be appropriately monitored.

7. Special circumstances:

During the negotiation of the grant agreement, FHWA may require the recipient to report information to the agency more often than quarterly. Otherwise, all information collected is consistent with the guidelines in 5 CFR 1320.6.

8. Compliance with 5 CFR 1320.8:

This 180-day clearance is requested pursuant to 5 CFR 1320.8(d)(4).

9. Payments or gifts to respondents:

No payment is made to respondents, other than remuneration to successful Charging and Fueling Infrastructure Program grantees. The remuneration to grantees is in the form of reimbursements up to the amount of the Charging and Fueling Infrastructure Program grant award as negotiated in the signed and

executed grant agreement.

10. Assurance of confidentiality:

There is no assurance of confidentiality regarding these submissions.

11. Justification for collection of sensitive information:

None of the information is of a sensitive nature.

12. Estimate of burden hours for information requested during the first year:

<u>Requirements hours</u>	<u># of Annual Submissions</u>	<u>Burden hours per Submission</u>	<u>Total annual Burden</u>
<u>Application Stage</u>			
Applications	550	40	22,000
<u>Grant Agreement</u>			
Requests for information related to signing grant agreements	300	4	1,200
<u>Project Management Stage</u>			
Quarterly Progress Report	1,200	2	2,400
First Year Total	2,050	46	25,600

All burden hour estimates are based on an estimated review of all the requirements associated with the Charging and Fueling Infrastructure Discretionary Grant Program, discussions with appropriate modal staff, and analysis of other Department programs.

Estimate of the cost to respondents:

There is a wide variance in the level of effort required by recipients to comply with the Project Management Stage reporting requirements. A majority of reports, however, will be simple and straightforward. The figures below are representative of a straightforward project of average complexity.

Application Stage

We estimate that it takes approximately 40 person-hours to read the Notice of Funding Opportunity and compile an application package for a Charging and Fueling Infrastructure Program application. Since FHWA expects to receive 550 applications per NOFO announcement, the total hours required are estimated to be 22,000 hours

(40 hours x 550 applications) on a one-time basis, per announcement. Although various personnel are involved in the development of an application, the average salary is estimated to be \$55 per hour. This is based on the average loaded wage of a project manager in the local government sector of \$54.96 (Bureau of Labor Statistics). Therefore, the cost to the respondents is computed at \$1,210,000 (22,000 hours x \$55 = \$1,210,000).

Grant Agreement Stage:

We estimate that it takes approximately 4 person-hours to respond to FHWA requests for more information in negotiating the grant agreements. Based on other grant programs, FHWA estimates that there will likely be 300 grant agreements negotiated per one announcement. The total hours required are estimated to be 1,200 (4 hours x 300 agreements = 1,200 hours) on a one-time basis, per announcement. Although various personnel are involved in the development of an application, the average salary is estimated to be \$55 per hour. Therefore, the cost to the respondents is computed at \$66,000 (1,200 hours x \$55 = \$66,000).

Project Management Stage:

We estimate that it takes approximately 2 person-hours to develop and submit a quarterly project progress report to FHWA for review. Based on other grant programs and the expected number of awards, FHWA expects to receive 1,200 quarterly project progress reports per year (4 reports per year x 300 awards = 1,200 progress reports). The total hours required for one year of the project are estimated to be 2,400 hours (2 hours x 1,200 reports = 2,400 hours). Although various personnel are involved in the project management, the average salary is estimated to be \$55 per hour. Therefore, the cost for the first year of project management to the respondents is computed at \$132,000 (2,400 hours x \$55 = \$132,000). FHWA anticipates that the duration of each awarded project will be 3 years. For the 2 years of the project after the first year, FHWA expects to receive 2,400 more reports (1,200 progress reports x 2 additional years = 2,400 reports). The total hours for the two years of the project after the first year are 4,800 hours (2,400 more reports x 2 hours = 4,800 hours). The cost for the following two years is \$264,000 (4,800 hours x \$55 = \$264,000). Therefore, the cost for the full 3 years of project management is \$396,000 (\$132,000 + \$264,000 = \$396,000).

The total cost for the first year to respondents for the application, grant negotiation, and first year of program management stages is (\$1,210,000 + \$66,000 + \$132,000) = **\$1,408,000**.

The total cost for 3 years to respondents for the application, grant negotiation, and 3 years of program management stages is (\$1,408,000 + \$264,000) = **\$1,672,000**.

13. Estimate of total annual costs to respondents:

There is no additional cost beyond that shown in items 12 and 14.

14. Estimate of cost to the Federal Government:

The cost is calculated as follows:

Application Stage:

FHWA will review the applications to assess project eligibility and merit and to provide information for the discretionary decision-making process prior to the award of any future Charging and Fueling Infrastructure Program grants.

We estimate that the average grade level of the reviewers is GS-13/step 5, paid at approximately \$58 per hour¹. Each project application will require approximately 10 person-hours of review as an overall average. Since we expect to evaluate 550 applications, the cost to the federal Government is \$319,000 (10 hours x 550 applications = 5,500 hours x \$58 = \$319,000), per appropriation.

Grant Agreement Stage:

Information may be requested from grantees to negotiate the implementation grant agreements under which the Charging and Fueling Infrastructure Program funds will be distributed under which eligible activities will be implemented. OST/FHWA does not expect to request much information from grantees, since most of the information required was submitted along with the grant applications.

We estimate that the average grade level of the reviewers is GS-14/step 5, paid at \$69 per hour². Since we expect to negotiate 300 grant agreements and for one employee to spend about six hours requesting the information and using it to draft the grant agreements, the cost to the federal Government is \$124,200 (6 hours x 300 applications = 1,800 hours x \$69 = \$124,200), per appropriation.

Project Management Stage:

Individuals managing projects throughout FHWA vary from GS-11 to GS-14; however, in looking at the averages it can take a GS-13/step 5 (average salary, \$58 per hour) about one hour per report to review it. There are approximately 300 projects requiring reports annually, and a total of 4 reports per project, or 1,200 submissions, annually. The cost to the federal Government is \$69,600 (1 hour x 1,200 submissions = 1,200 hours x \$58 = \$69,600), annually. FHWA anticipates that the duration of each awarded project will be 3 years therefore the total cost of the project management over the life span of the grant is \$208,800 (3 years x \$69,600 = \$208,800).

¹All hourly rates based on OPM Salary Table 2022 - DCB which is most current available until 2023 is published.
[SALARY TABLE 2022-DCB \(opm.gov\)](https://www.opm.gov/policy-data-oversight/salary-tables/)

The grand total cost to the Federal Government for the application, grant negotiation, program management and evaluation stage is \$512,800 per year and \$652,000 over all 3 years as shown in the table below:

Project Stages	Cost to the Federal Government
Application Stage	\$319,000
Grant Agreement Stage	\$124,200
Project Management Stage	\$208,800
Grand Total	\$652,000

15. Explanation of program changes or adjustments:

The purpose of this request is to approve collection of information related to the application and implementation of the Charging and Fueling Infrastructure Program for FY22 and FY23 funds.

16. Publication of results of data collection:

FHWA is required to provide a report to Congress annually for a subset of applicants under this program 23 U.S.C. § 151 (f) (11).

17. Approval for not displaying the expiration date of OMB approval:

There is no reason not to display the expiration date of OMB approval.

18. Exceptions to certification statement:

No exceptions are stated.

EXHIBIT A

23 U.S.C. § 151 (f) Charging and Fueling Infrastructure Program

(a) IN GENERAL.—

The [Secretary](#) shall periodically designate national electric vehicle charging and hydrogen, propane, and natural gas fueling corridors that identify the near- and long-term need for, and location of, electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, and natural gas fueling infrastructure at strategic locations along major national [highways](#) to support changes in the transportation sector that help achieve a reduction in greenhouse gas emissions and improve the mobility of passenger and commercial vehicles that employ electric, hydrogen fuel cell, propane, and natural gas fueling technologies across the United [States](#).

(b) DESIGNATION OF CORRIDORS.—In designating the corridors under subsection (a), the [Secretary](#) shall—

- (1)** solicit nominations from [State](#) and local officials for facilities to be included in the corridors;
- (2)** incorporate existing electric vehicle charging, hydrogen fueling, propane fueling, and natural gas fueling corridors previously designated by the Federal Highway Administration or designated by a [State](#) or group of [States](#); and
- (3)** consider the demand for, and location of, existing electric vehicle charging stations, hydrogen fueling stations, propane fueling stations, and natural gas fueling infrastructure.

(c) STAKEHOLDERS.—In designating corridors under subsection (a), the [Secretary](#) shall involve, on a voluntary basis, stakeholders that include—

- (1)** the heads of other Federal agencies;
- (2)** [State](#) and local officials;
- (3)** representatives of—
 - (A)** energy utilities;
 - (B)** the electric, fuel cell electric, propane, and natural gas vehicle industries;
 - (C)** the freight and shipping industry;
 - (D)** clean technology firms;
 - (E)** the hospitality industry;
 - (F)** the restaurant industry;
 - (G)** [highway](#) rest stop vendors; and
 - (H)** industrial gas and hydrogen manufacturers; and
- (4)** such other stakeholders as the [Secretary](#) determines to be necessary.

(d) REDESIGNATION.—

(1) INITIAL REDESIGNATION.—

Not later than 180 days after the date of enactment of the Surface Transportation Reauthorization Act of 2021, the [Secretary](#) shall update and redesignate the corridors under subsection (a).

(2) SUBSEQUENT REDESIGNATION.—

The [Secretary](#) shall establish a recurring process to regularly update and redesignate the corridors under subsection (a).

(e) REPORT.—During designation and redesignation of the corridors under this section, the [Secretary](#) shall issue a report that—

- (1) identifies electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, and natural gas fueling infrastructure and standardization needs for electricity providers, industrial gas providers, natural gas providers, infrastructure providers, vehicle manufacturers, electricity purchasers, and natural gas purchasers;
- (2) describes efforts, including through funds awarded through the grant program under subsection (f), that will aid efforts to achieve strategic deployment of electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, and natural gas fueling infrastructure in those corridors; and
- (3) summarizes best practices and provides guidance, developed through consultation with the [Secretary](#) of Energy, for [project](#) development of electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure and natural gas fueling infrastructure at the [State](#), Tribal, and local level to allow for the predictable deployment of that infrastructure.

(f) GRANT PROGRAM.—

(1) DEFINITION OF PRIVATE ENTITY.—

In this subsection, the term “[private entity](#)” means a corporation, partnership, company, or nonprofit organization.

(2) ESTABLISHMENT.—

Not later than 1 year after the date of enactment of the Surface Transportation Reauthorization Act of 2021, the [Secretary](#) shall establish a grant program to award grants to eligible entities to carry out the activities described in paragraph (6).

(3) ELIGIBLE ENTITIES.—An entity eligible to receive a grant under this subsection is—

- (A) a [State](#) or political subdivision of a [State](#);
- (B) a metropolitan planning organization;
- (C) a unit of local government;
- (D) a special purpose district or [public authority](#) with a transportation function, including a port authority;
- (E) an Indian tribe (as defined in section 4 of the [Indian Self-Determination and Education Assistance Act \(25 U.S.C. 5304\)](#));
- (F) a territory of the United [States](#);
- (G) an authority, agency, or instrumentality of, or an entity owned by, 1 or more entities described in subparagraphs (A) through (F); or
- (H) a group of entities described in subparagraphs (A) through (G).

(4) APPLICATIONS.—To be eligible to receive a grant under this subsection, an eligible entity shall submit to the [Secretary](#) an application at such time, in such manner, and containing such information as the [Secretary](#) shall require, including—

- (A) a description of how the eligible entity has considered—
 - (i) public accessibility of charging or fueling infrastructure proposed to be funded with a grant under this subsection, including—
 - (I) charging or fueling connector types and publicly available information on real-time availability; and
 - (II) payment methods to ensure secure, convenient, fair, and equal access;
 - (ii) collaborative engagement with stakeholders (including automobile manufacturers, utilities, infrastructure providers, technology providers, electric charging, hydrogen, propane, and natural gas fuel providers, metropolitan planning organizations, [States](#), Indian tribes, and units of local governments, fleet owners, fleet managers, fuel station

owners and operators, labor organizations, infrastructure [construction](#) and component parts suppliers, and multi-[State](#) and regional entities)—

- (I) to foster enhanced, coordinated, public-private or private investment in electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure;
 - (II) to expand deployment of electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure;
 - (III) to protect personal privacy and ensure cybersecurity; and
 - (IV) to ensure that a properly trained workforce is available to construct and install electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure;
- (iii) the location of the station or fueling site, such as consideration of—
- (I) the availability of onsite amenities for vehicle operators, such as restrooms or food facilities;
 - (II) access in compliance with the [Americans with Disabilities Act of 1990 \(42 U.S.C. 12101 et seq.\)](#);
 - (III) height and fueling capacity requirements for facilities that charge or refuel large vehicles, such as semi-trailer trucks; and
 - (IV) appropriate distribution to avoid redundancy and fill charging or fueling gaps;
- (iv) infrastructure installation that can be responsive to technology advancements, such as accommodating autonomous vehicles, vehicle-to-grid technology, and future charging methods; and
- (v) the long-term operation and [maintenance](#) of the electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure, to avoid stranded assets and protect the investment of public funds in that infrastructure; and
- (B) an assessment of the estimated emissions that will be reduced through the use of electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure, which shall be conducted using the Alternative Fuel Life-Cycle Environmental and Economic Transportation (AFLEET) tool developed by Argonne National Laboratory (or a successor tool).
- (5) **CONSIDERATIONS.**—In selecting eligible entities to receive a grant under this subsection, the [Secretary](#) shall—
- (A) consider the extent to which the application of the eligible entity would—
 - (i) improve alternative fueling corridor networks by—
 - (I) converting corridor-pending corridors to corridor-ready corridors; or
 - (II) in the case of corridor-ready corridors, providing redundancy—
 - (aa) to meet excess demand for charging or fueling infrastructure; or
 - (bb) to reduce congestion at existing charging or fueling infrastructure in high-traffic locations;
 - (ii) meet current or anticipated market demands for charging or fueling infrastructure;
 - (iii) enable or accelerate the [construction](#) of charging or fueling infrastructure that would be unlikely to be completed without Federal assistance;
 - (iv) support a long-term competitive market for electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure that does not significantly impair existing electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure providers;

- (v)** provide access to electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure in areas with a current or forecasted need; and
- (vi)** deploy electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure for medium- and heavy-duty vehicles (including along the [National Highway Freight Network](#) established under section 167(c)) and in proximity to intermodal transfer stations;
- (B)** ensure, to the maximum extent practicable, geographic diversity among grant recipients to ensure that electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure is available throughout the United [States](#);
- (C)** consider whether the [private entity](#) that the eligible entity contracts with under paragraph (6)—
 - (i)** submits to the [Secretary](#) the most recent year of audited financial statements; and
 - (ii)** has experience in installing and operating electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure; and
- (D)** consider whether, to the maximum extent practicable, the eligible entity and the [private entity](#) that the eligible entity contracts with under paragraph (6) enter into an agreement—
 - (i)** to operate and maintain publicly available electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure; and
 - (ii)** that provides a remedy and an opportunity to cure if the requirements described in clause (i) are not met.
- (6) USE OF FUNDS.—**
 - (A)** In general.—

An eligible entity receiving a grant under this subsection shall only use the funds in accordance with this paragraph to contract with a [private entity](#) for acquisition and installation of publicly accessible electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure that is directly related to the charging or fueling of a vehicle.
 - (B)** Location of infrastructure.—

Any publicly accessible electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure acquired and installed with a grant under this subsection shall be located along an alternative fuel corridor designated under this section, on the condition that any affected Indian tribes are consulted before the designation.
 - (C)** Operating assistance.—
 - (i)** In general.—

Subject to clauses (ii) and (iii), an eligible entity that receives a grant under this subsection may use a portion of the funds to provide to a [private entity](#) operating assistance for the first 5 years of operations after the installation of publicly available electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure while the facility transitions to independent system operations.
 - (ii)** Inclusions.—

Operating assistance under this subparagraph shall be limited to costs allocable to operating and maintaining the electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure and service.

(iii) Limitation.—

Operating assistance under this subparagraph may not exceed the amount of a contract under subparagraph (A) to acquire and install publicly accessible electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure.

(D) Traffic control devices.—

(i) In general.—

Subject to this paragraph, an eligible entity that receives a grant under this subsection may use a portion of the funds to acquire and install traffic control devices located in the right-of-way to provide directional information to publicly accessible electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure acquired, installed, or operated with the grant.

(ii) Applicability.—Clause (i) shall apply only to an eligible entity that—

(I) receives a grant under this subsection; and

(II) is using that grant for the acquisition and installation of publicly accessible electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure.

(iii) Limitation on amount.—

The amount of funds used to acquire and install traffic control devices under clause (i) may not exceed the amount of a contract under subparagraph (A) to acquire and install publicly accessible charging or fueling infrastructure.

(iv) No new authority created.—

Nothing in this subparagraph authorizes an eligible entity that receives a grant under this subsection to acquire and install traffic control devices if the entity is not otherwise authorized to do so.

(E) Revenue.—

(i) In general.—

An eligible entity receiving a grant under this subsection and a [private entity](#) referred to in subparagraph (A) may enter into a cost-sharing agreement under which the [private entity](#) submits to the eligible entity a portion of the revenue from the electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure.

(ii) Uses of revenue.—

An eligible entity that receives revenue from a cost-sharing agreement under clause (i) may only use that revenue for a [project](#) that is eligible under this title.

(7) CERTAIN FUELS.—

The use of grants for propane fueling infrastructure under this subsection shall be limited to infrastructure for medium- and heavy-duty vehicles.

(8) COMMUNITY GRANTS.—

(A) In general.—

Notwithstanding paragraphs (4), (5), and (6), the [Secretary](#) shall reserve 50 percent of the amounts made available each fiscal year to carry out this section to provide grants to eligible entities in accordance with this paragraph.

(B) Applications.—

To be eligible to receive a grant under this paragraph, an eligible entity shall submit to the [Secretary](#) an application at such time, in such manner, and containing such information as the [Secretary](#) may require.

(C) Eligible entities.—An entity eligible to receive a grant under this paragraph is—

(i) an entity described in paragraph (3); and

(ii) a [State](#) or local authority with ownership of publicly accessible transportation facilities.

(D) Eligible projects.—The [Secretary](#) may provide a grant under this paragraph for a [project](#) that is expected to reduce greenhouse gas emissions and to expand or fill gaps in access to publicly accessible electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure, including—

(i) development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities; and

(ii) the acquisition and installation of electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure that is directly related to the charging or fueling of a vehicle, including any related [construction](#) or reconstruction and the acquisition of real property directly related to the [project](#), such as locations described in subparagraph (E), to expand access to electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure.

(E) Project locations.—

A [project](#) receiving a grant under this paragraph may be located on any [public road](#) or in other publicly accessible locations, such as parking facilities at public buildings, public schools, and public parks, or in publicly accessible parking facilities owned or managed by a [private entity](#).

(F) Priority.—In providing grants under this paragraph, the [Secretary](#) shall give priority to [projects](#) that expand access to electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure within—

(i) [rural areas](#);

(ii) low- and moderate-income neighborhoods; and

(iii) communities with a low ratio of private parking spaces to households or a high ratio of multiunit dwellings to single family homes, as determined by the [Secretary](#).

(G) Additional considerations.—In providing grants under this paragraph, the [Secretary](#) shall consider the extent to which the [project](#)—

(i) contributes to geographic diversity among eligible entities, including achieving a balance between urban and rural communities; and

(ii) meets current or anticipated market demands for charging or fueling infrastructure, including faster charging speeds with high-powered capabilities necessary to minimize the time to charge or refuel current and anticipated vehicles.

(H) Partnering with private entities.—

An eligible entity that receives a grant under this paragraph may use the grant funds to contract with a [private entity](#) for the acquisition, [construction](#), installation, [maintenance](#), or operation of electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure,

or natural gas fueling infrastructure that is directly related to the charging or fueling of a vehicle.

(I) Maximum grant amount.—

The amount of a grant under this paragraph shall not be more than \$15,000,000.

(J) Technical assistance.—

Of the amounts reserved under subparagraph (A), the [Secretary](#) may use not more than 1 percent to provide technical assistance to eligible entities.

(K) Additional activities.—

The recipient of a grant under this paragraph may use not more than 5 percent of the grant funds on educational and community engagement activities to develop and implement education programs through partnerships with schools, community organizations, and vehicle dealerships to support the use of zero-emission vehicles and associated infrastructure.

(9) REQUIREMENTS.—

(A) Project treatment.—

Notwithstanding any other provision of law, any [project](#) funded by a grant under this subsection shall be treated as a [project](#) on a [Federal-aid highway](#) under this chapter.

(B) Signs.—Any traffic control device or on-premises sign acquired, installed, or operated with a grant under this subsection shall comply with—

- (i) the Manual on Uniform Traffic Control Devices, if located in the right-of-way; and
- (ii) other provisions of Federal, [State](#), and local law, as applicable.

(10) FEDERAL SHARE.—

(A) In general.—

The Federal share of the cost of a [project](#) carried out with a grant under this subsection shall not exceed 80 percent of the total [project](#) cost.

(B) Responsibility of private entity.—

As a condition of contracting with an eligible entity under paragraph (6) or (8), a [private entity](#) shall agree to pay the share of the cost of a [project](#) carried out with a grant under this subsection that is not paid by the Federal Government under subparagraph (A).

(11) REPORT.—

Not later than 3 years after the date of enactment of this subsection, the [Secretary](#) shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report on the progress and implementation of this subsection.