



**ZERO EMISSION
TRANSPORTATION
ASSOCIATION**

December 22, 2023

Federal Highway Administration
United States Department of Transportation
1200 New Jersey Ave. SE
Washington, DC 20590

RE: Docket No. FHWA-2023-0029
Biannual Request for Information on the Status of the Electric Vehicle (EV)
Charger Industry

Submitted via Rulemaking Portal: <http://www.regulations.gov>.

The Zero Emission Transportation Association (ZETA) is an industry-backed coalition of over 60 member companies advocating for 100% electric vehicle (EV) sales. ZETA is committed to enacting policies that drive EV adoption, create hundreds of thousands of jobs, dramatically improve public health, and significantly reduce emissions. Our coalition spans the entire EV supply chain including vehicle manufacturers, charging infrastructure manufacturers and network operators, battery manufacturers and recyclers, electricity providers, and critical minerals producers, among others.

ZETA thanks the Federal Highway Administration (FHWA) for the opportunity to respond to its biannual request for information on the status of the EV charger industry. ZETA is submitting its response on behalf of its member companies and has encouraged its members to submit responses in their individual capacities as well. We urge FHWA to give those comments full consideration as the Administration considers the next steps in implementing the Build America, Buy America (BABA) plan¹ related to electric vehicle supply equipment (EVSE).

BABA requirements can encourage domestic EVSE production and incentivize the development of a domestic supplier ecosystem and workforce. ZETA has long supported a common sense implementation strategy that incentivizes U.S. production while reasonably meeting the EV industry where it stands. The global supply chain is incredibly complex, and EVSE manufacturers are committed to building a robust, domestic supply chain to manufacture EV charging equipment. To date, manufacturers have announced investments of over \$500 million in more than 40 American-made electric vehicle charger plants.²

¹ See 88 FR 10619 (February 21, 2023)

² <https://www.energy.gov/eere/vehicles/articles/fotw-1314-october-30-2023-manufacturers-have-announced-investments-over-500>

FHWA Should Maintain the Existing BABA Implementation Schedule to Maintain Regulatory Certainty and Avoid Adding Unnecessary Risk to Investments in Domestic EVSE Manufacturing

ZETA applauds FHWA's reasonable approach to implementing BABA requirements for the EVSE industry, which provides EVSE manufacturers with time to respond to new domestic content requirements. In the interest of preserving regulatory certainty, we urge FHWA to maintain the BABA implementation schedule as articulated in the February 2023 temporary waiver. Any changes to that schedule would substantially disrupt work across the country on the deployment of funding under the Bipartisan Infrastructure Law's National Electric Vehicle Infrastructure (NEVI) program. Ongoing industry investment spurred by FHWA's temporary BABA waiver is creating more robust supply chains and ensuring the industry has adequate time to build up domestic component supply chains will make it easier to source replacement parts and improve charger reliability – a key requirement of the NEVI program. The procurement and construction for these projects are already well underway. A sudden change in BABA rules would introduce substantial risk to investments and delay projects as vendors ensure compliance with the new rules.

President Biden's Buy America requirements are encouraging domestic EVSE manufacturing and incentivizing the development of a domestic supplier ecosystem and workforce. We encourage FHWA to maintain the current approach to BABA implementation as U.S. EVSE providers continue to invest in Buy America-compliant charger components. Any changes to the implementation schedule could ultimately jeopardize the President's goal of installing 500,000 EV chargers by 2030.

ZETA and its members thank you for your attention to these comments and are available should you have any additional questions.

Sincerely,



Albert Gore
Executive Director
Zero Emission Transportation Association